COMMONWEALTH OF PUERTO RICO
PUERTO RICO INFRASTRUCTURE FINANCE AUTHORITY

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*****
U.S. ARMY CORPS OF ENGINEERS *
*****
SCOPING MEETING *
*****
LAS AMERICAS TRANSSHIPMENT PORT *
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DATE : October 3, 2001

TIME : 9:00 A.M.

OFFICE : COMMONWEALTH OF PUERTO RICO
PUERTO RICO INFRASTRUCTURE FINANCE AUTHORITY

ADDRESS : 235 Arterial Hostos
Capital Center Building
Office 1601
San Juan, Puerto Rico

HELD AT : COLEGIO DE INGENIEROS Y AGRIMENSORES
Urb. Roosevelt
Antolín Nin Street
San Juan, Puerto Rico

APPEARANCES

MR. EDWIN MUÑIZ - U.S. Army Corps of Engineers

MR. JOHN HALL - Regulatory Division Chief of Jacksonvillle U.S. Army Port Engineers

MR. HECTOR JIMENEZ JUARBE - Project Manager

MR. RAMON AMADOR - Executive Director AFI

MR. FERDINAND QUIÑONES - CSA Group

MR. RAMON TORRES - Project Submanager

COURT REPORTER:

Mr. Robert Rivera García

SOUND TECHNICIAN:

Mr. Jorge Díaz

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PROCEEDINGS

(9:10 a.m.)

MR. MUÑIZ:

Good morning.

I think I know everyone, but just in case, my name is Edwin Muñiz with the U.S. Army Corps of Engineers.

I welcome everyone of you to our scoping interagency meeting for the Las Américas Transshipment Port.

Before we start, I have a couple of administrative announcements.

We passed out the agenda. If you don't have an agenda, please share one with your neighbor.

For those that have agendas, please share with those who don't have agendas.

I would ask that all of you that have cellular phones to turn them off so we can dedicate our time 100 percent

to this, and get out of here as soon as we can.

We plan to work through lunch.

It is our understanding that this is going to be a very busy meeting, with lots of interaction.

Who knows, maybe we'll get everything resolved in half an hour, and issue a general permit.

Just kidding.

So we're planning to work through lunch. We will try to have something out there so you can get something to eat, and we'll have a few breaks throughout the day.

I want to advise everyone that this meeting is being recorded, so we can prepare a transcript of the meeting.

At this time I would like to go around the room, and everybody please introduce, --do a self-introduction, name, and who you represent.

I start with myself again, Edwin Muñiz with the U.S. Army Corps of Engineers, Antilles Regulatory Section.

And let's go here with Ramón.

MR. AMADOR:

Good morning. Ramón Amador, Executive Director for the Infrastructure Authority.

MR. JIMENEZ:

Good morning. Héctor Jiménez Juarbe, General Manager Port of Las Américas.

MS. ABADIA:

Good morning, my name is Silvia Abadia from the Puerto Rico Planning Board.

MR. TORRES:

Good morning. I'm Ramón Torres. I'm the Port Director for the City of Ponce.

MR. HERNANDEZ:

Good morning, I am Cesar Hernández Colón. I'm special counsel for the municipality of Ponce.

MR. SOTO:

José Soto, U.S. Environmental Protection Agency.

MR. APONTE:

Félix Aponte Ortiz, Puerto Rico Planning Board, Associate Member.

MR. COLLAZO:

Osvaldo Collazo, the Corps of Engineers Regulatory out of Jacksonville.

MR. HALL:

Good morning. First of all, it seems like only a few short weeks ago that some of us met up in Orlando, and again I appreciate the opportunity to meet with you.

My name is John Hall. I'm Chief of the Regulatory Division, Jacksonville District Corps of Engineers.

MR. GASSERT:

Dennis Gassert, Deputy District Engineer for the Antilles Jacksonville District.

MS. RIVERA:

Marelisa Rivera, U.S. Fish & Wildlife Service.

MR. LOPEZ:

Félix López, U.S. Fish & Wildlife Service.

MR. SERVIDIO:

Joe Servidio, Coast Guard Marine Safety Office.

MS. YOSHIOKA:

Beverly Yoshioka, U.S. Fish & Wildlife Service.

MS. SILANDER:

Susan Silander, Fish & Wildlife Service.

MS. ROMAN:

Ana Roman, Fish & Wildlife Service.

MS. CARRUBBA:

Lisamarie Carrubba, Caribbean Field Office, National Marine Fisheries Service.

MR. TORO:

Julio Toro, National Resources Department.

MR. GONZALEZ:

José González Liboy, CSA Group.

MR. QUIÑONES:

Ferdinand Quiñones, CSA Group.

MS. TORREGROSSA:

Enid Torregrossa, State Historical Preservation Officer.

MR. LOPEZ:

Chip López, Coast Guard Marine Safety Office.

MS. JIMENEZ:

Esther Jiménez, Army Corps of Engineers, Public Affairs.

MR. ACEVEDO:

Noel Acevedo for Corps de Ingenieros, Corps of Engineers counsel.

MR. ROSARIO:

José Rosario, U.S. Army Corps of Engineers.

MR. COLON:

Nelson Colón, U.S. Army Corps of Engineers.

MS. GERENA:

Vivian Gerena, Army Corps of Engineers.

MS. LOPEZ:

Myrna López, U.S. Army Corps of Engineers.

MS. ROMAN:

Gisela Román, U.S. Army Corps of Engineers.

MR. RODRIGUEZ:

Osvaldo Rodríguez, U.S. Army Corps of Engineers, Project Manager for the Navigation Federal Project, Federal Navigation Projects.

MR. ACOSTA:

Iván Acosta, U.S. Army Corps of Engineers.

MR. RODRIGUEZ:

Joe Rodríguez, Consultant for the Municipality of Ponce.

MR. MUÑIZ:

Thank you.

The agenda today, I will do a short presentation on the EIS process, and then after that I will be followed by AFI, the government of Puerto Rico, and they will do a presentation of their proposed project.

And then after that we'll be addressing the different alternative issues, and other items as required, as part of this scoping meeting.

This morning, in my presentation, I will be briefly talking to you about the steps, the Agency roles, and the scoping process, as required by the NEPA regulations.

Next slide.

In the preparation of a federal EIS, there are six major milestones that are required. And they are shown in this diagram.

The first one is the notice of intent in the federal register. And that has been completed. The Corps of Engineers issued a notice of intent in the federal register in August 28 of this year.

Once that's done, we enter into the scoping process. And this meeting is part of that process.

After the scoping process is completed, then we go into the preparation of an EIS, an announcement again in the federal register, that the EIS is available.

And continuing with the process, there's a record of decision publishing a final EIS, and taking final action.

Next slide.

This is again a list of the things that we -- in the previous slide I outlined the six major steps.

These are a little bit refined.

Again, the notice of intent, which are already done.

The interagency scoping meeting, which is taking place today.

A public scoping meeting, it's not a requirement, but it's another action that we can do, and it has a question mark there because one of the things that we need to determine is if we need to do a public meeting on the scoping, a public scoping meeting.

After the scoping is completed, we'll go into the preparation of the EIS.

And after we have completed that EIS, or draft the EIS, we will issue again a notice in the federal register that the draft EIS is available for comment, for review and comments.

We will -- Sometime after that we'll do a public meeting, or a public hearing, then prepare an EIS, and

again issue another notice of availability for people to review that final EIS.

And we print a record of decision. And then take final action.

Next slide.

The scoping process is an open process to determine the scope and the issues that should be addressed in the environmental impact statement.

Next.

In the scoping process, we identify the affected public, the federal state and local agencies, the proponent and other interested parties, on the action to be, upon the proposed action.

A critical part of this process is to determine the scope. And that means the actions and the alternative that should be considered, which ones should, you know, should be discarded, and which ones should be considered, or analyzed in detail, or evaluated in detail.

Also, as part of the scoping, it's very important that we identify the issues that we all have, prioritize, determine which one, which issues are important, which are not important, and those that are important are evaluated in detail in the EIS.

Also, through the scoping process, the studies that would be needed are identified.

We also establish or discuss procedures in agency roles in the process.

Next slide.

From the scoping process, we identify three types of actions, three types of alternatives, and three types of impacts. And those are the ones that need to be considered in the EIS.

And the actions, the actions are connected in three types of actions, which are the connected actions, cumulative actions, and similar actions.

In the alternative, well, there's always the no-action alternative that needs to be considered.

The other reasonable alternatives and mitigation measures to compensate for potential impacts.

And in terms of impacts, direct, indirect, and cumulative impacts need to be considered in the EIS.

Next slide.

The participation of other federal, state or local agencies is a critical part of this process. And we have identified certain agencies, as part of this process here today.

And we will be discussing some of the roles. And there may be other roles that are not here, so please let us know.

The Army Corps of Engineers, the lead agency, is a

regulatory agency for the proposed action. And we view our federal sister agencies, the EPA, Fish & Wildlife, National Marine Fisheries Service, and the Coast Guard as integral parts of this team to prepare this Environmental Impact Statement.

And from the Commonwealth, we see the Puerto Rico Planning Board, EQB, the NAR, and the Office of the SHPO, as also integral parts of this action.

And there may be other agencies that are not identified here today, but we could, as we see fit, we can, you know, also invite, or make part of this process.

Next slide.

The agency roles with the Fish & Wildlife, Federal Fish & Wildlife, we have to coordinate with them under the Fish & Wildlife Coordination Act, Section 7 of the Endangered Species Act; and with the National Marine Fisheries Service, in addition to also coordinating with them under the Fish & Wildlife Coordination Act, we would deal with them under Section 7 of the Endangered Species Act and essential fish habitat under the McNimson-Stevens Act.

Next slide.

EPA, is a participant under the NIPA review, for 4(b)1 guidelines, review, ocean dumping, in Brownfields.

And the Coast Guard is our main partner on navigation

and navigational safety.

And if there are other federal agencies that are not listed today, that you think that should be part of this working group, please let us know.

Next slide.

The state agency role, or the Commonwealth agency role's, the Puerto Rico Planning Board has a major role in the coastal zone management determination, or a consistency determination; and also on the land use determinations in this process.

The Environmental Quality Board, a major or a key player in the determination of water quality certification, water quality standards, and also compliance with Law No. 9, Article 4(c), which is the equivalent to a NIPA at the state level.

Next slide.

DNER, which is our partner in the preservation of natural resources, submerged lands, and also in the fish and wildlife coordination process.

And the Puerto Rico State Historic Preservation Officer, in the historic resources preservation role.

Again, not all the state agencies are listed here. There are other agencies that need to be part of this action. We would like to hear about that, so we can let them know and ask them to participate.

This basically concludes my brief presentation on the process.

At this time I will turn it over to Mr. Héctor Jiménez Juarbe, and the Commonwealth of Puerto Rico will do a series of presentations, and then we'll take the floor again.

Thank you.

One thing before I turn this over, I will be passing around a signature sheet. I would request everybody to provide everything in here, including email, if you have email.

Once whoever signs the list, please give it to me.

Thank you.

MR. JIMENEZ:

Thank you, Edwin, and good morning to all of you.

On behalf of the Commonwealth of Puerto Rico, I wish to thank all of you for being here this morning to share with us your impressions and recommendations regarding the proposed development of a transshipment port in Puerto Rico.

I also want to thank the staff of the Corps of Engineers in San Juan and Jacksonville for their continued support to the project.

This has been a very good experience to work with you, really.

The objectives of this meeting were well described by the representatives of the Army Corps of Engineers. We share the Corps philosophy of providing an open forum where the resource agencies can review our plans for the project, and can comment on the strategies for its development.

I know that your knowledge and experience will help the Commonwealth prepare an environmental impact statement that is technically and legally correct, and complies with the NEPA and EQB regulations.

I would like to introduce some of the members of our team, some of them you already know, and have presented, that are working on this important project.

Most of you know Ramón Amador, the executive director of AFI, who is the lead Commonwealth agency working on the preparation of the environmental documents for the project.

Other members of our team include Ms. Ingrid Vila, she was out when the self-introductory section took place. She is the assistant to the governor for environmental and natural resources.

Mr. Ramón Torres, co-manager of Las Américas Transshipment Port, and executive director of the Port of Ponce, who will describe the elements of that port.

Engineer Ferdinand Torres (sic); Eng. Angel García;

and José González Liboy, consultants to AFI, working on the environmental documents.

This morning our goal is to describe in detail the elements of the project as it is now proposed, its need and purpose.

We will bring you up to date on the actions the Commonwealth government is taking to further this most important and necessary project, including the status of field studies, and the preparation of a draft environmental impact statement.

I am certain that after this meeting you will have a much broader understanding of the importance of this project, and most importantly that it will result in minimal environmental impacts, while energizing the economy of the southern region and all of Puerto Rico.

The Las Américas Transshipment Port is the most important industrial and commercial initiative that Puerto Rico has undertaken in many years.

The port will be a key component in our future economic development and employment.

During the last seven months the Commonwealth has been working in the plans for development and operation of a world-class, large vessel transshipment port on the island.

This project is one of several strategic economic

initiatives designed to position Puerto Rico as a significant force in the new global economy.

A feasibility study conducted for the Government Development Bank, in the year 2000, determined that the transshipment port project is financially, economically, and commercially viable.

I will later describe in detail the need for the project. But in a nutshell, Puerto Rico must develop a deep navigation port to enhance its economic development.

The port is also needed, regardless of the external economics, to relieve Puerto Rico from the economic burden of paying transshipment fees of several hundred million dollars a year on containerization cargo arriving for our internal markets.

Our overall purpose in developing the Las Américas Transshipment Port is to provide an additional engine to our economy which sill supplement the income generated by tourism, manufacturing, agriculture and services, our traditional economic activities.

The goal is to be a leader in the Américas and the Caribbean region in transshipment activities, and to become an active player in the global economy.

The Commonwealth is considering three alternatives to the project, which include infrastructure elements within the municipalities of Ponce, Guayanilla, and Peñuelas.

I will later describe these elements in detail, but the most comprehensive alternative includes the following -- but the most -- I will describe in detail the need for the project.

I'm sorry, something is wrong here. Okay.

Puerto Rico must develop a deep navigation port, as said before, to enhance its economic development.

But the most comprehensive alternative includes the following elements:

Development of deep-draft ports at Ponce and Guayanilla capable of servicing post-Panamax vessels.

Development at Guayanilla, Peñuelas and Ponce of value-added areas capable of hosting industrial and commercial activities.

At Guayanilla Bay, reclamation by fill of about 110 acres marine shallow waters and fill of about 10 acres of wetland.

Regardless of the final configuration of the elements of the project, the Las Américas Transshipment Port will be a major infrastructure development with socioeconomic benefits throughout Puerto Rico, and particularly along the south coast of the island.

The project will result in significant economic benefits to the municipalities in the south region.

It is estimated that the port activities will create

at least 5,000 direct jobs, and 10 to 12,000 indirect jobs, within five years after the start of operations.

Within this context, the project will increase municipal and central government revenues, resulting from increased direct project expenditures on goods, services, and salaries, indirect and induced spending, and multiplier effects.

The employment and economic benefits from the project will be significant.

The slide on the screen shows estimates of employment and income during the construction phase of the project.

Please notice the potential magnitude of the projected benefits to the economy of the island.

The next slide shows the employment and income estimates, during the first year of operation.

This is typical of a new port development, with increases as more customers and value-added activities benefit from the services that the port will provide.

This third slide summarizes the employment and income estimates for the tenth year of operation.

At this stage of the project, value-added activities create an industrial complex with substantial employment and benefits.

The port will promote the development of value-added activities such as manufacturing, and assembly operations,

and will increase the demand for banking, communications, warehousing, logistics and other services.

These activities will allow Puerto Rico to become an active player in the global economy, and will expand our most needed export capabilities.

The economic viability of the port is related to our geographical location as a natural gateway to most South American countries, as well as Central America and the Caribbean.

In this region there is an intense and expanding maritime traffic, part of which could be serviced by the Las Américas Transshipment Port.

It is estimated that the Caribbean Basin has a container traffic of approximately 6.5 million TEU's, and that Puerto Rico could capture about one-third of this volume.

For reference, a TEU is an international unit of maritime shipment using containers, and is equivalent to a twenty-foot long standard cargo container, 8 feet wide, and about 8 feet high, with a capacity of 34 cubic meters.

I don't know why they're still using that "anacrónica" manner of measuring this, but it's there.

And I was saying that this volume will grow to 600,000 TEU's Year 5, and then TEU's to 1.5 million after another 5 years.

The port would pump approximately $3.6 billion per year into our economy during the first five years of the project, and could exceed $6 billion after ten years.

The port will be a vital component of the future economic development of Puerto Rico.

The Commonwealth is considering several development alternatives to the project.

These alternatives are:

Number one, includes immediate development of deep-draft ports in Guayanilla and Ponce to accommodate post-Panamax vessels, including: Construction of a 6,000 feet long pier with support facilities in Guayanilla.

Reclamation by fill of approximately 110 acres of shallow navigable waters in the Punta Gotay area in the Guayanilla Bay.

Development for value-added activities of part of the 480-acre parcel owned by Union Carbide adjoining Punta Guayanilla.

This area was recently selected by EPA for inclusion in the Brownfields RCRA program, which is a program designed to reclaim abandoned industrial sites.

Filling of approximately 10 acres of wetlands in the Guayanilla area for access and other infrastructure needs of the port.

Expansion of Pier No. 8 in Ponce to a length of about

3,000 feet.

Immediate dredging of the navigation channel and berthing areas in the Ponce Harbor to a minimum depth of 45 feet.

Disposal of dredged material from the Ponce Harbor at EPA's designated ocean disposal site and/or on uplands for beneficial use.

Development of 90 acres of uplands near the Port of Ponce for value-added activities.

Alternative two includes the immediate development of a deep-draft harbor in Guayanilla to handle post-Panamax vessels and immediate improvements to the Port of Ponce to handle Panamax-class vessels, and eventual dredging of the navigation channel to accommodate post-Panamax vessels.

It will include construction of a 6,000 feet long pier in Guayanilla, with support facilities to handle as many as 4 post-Panamax vessels at one time.

Reclamation by fill of approximately 110 acres of shallow navigable waters in the Punta Gotay area in the Guayanilla Bay, and fill of about 10 acres of wetlands for the development of loading unloading containers, storage area, and other purposes facilities.

Construction of value-added facilities on parts of the 480-acre parcel owned by Union Carbide adjoining Punta Guayanilla.

Expansion of Pier No. 8 in Ponce to a length of about 3,000 feet to initially allow Panamax-class vessels and eventually post-Panamax vessels.

Development of approximately 90 acres of uplands adjacent to the Port of Ponce for value-added facilities.

Eventual dredging of the navigation channel and berthing areas in Ponce Harbor to a minimum of 45 feet to accommodate post-Panamax vessels.

Disposal of dredged material at EPA's designated ocean disposal site and/or on uplands for beneficial use.

Alternative third. This alternative includes immediate development of a deep-draft port in Guayanilla to handle post-Panamax vessels, and immediate rehabilitation of the Port of Ponce to handle Panamax-class vessels.

It will also include construction of a 6,000 feet long pier in Guayanilla with support facilities to handle 4 post-Panamax vessels at one time.

Reclamation by fill of approximately 110 acres of shallow navigable waters in the Punta Gotay area in the Guayanilla Bay, and fill of about 10 acres of wetlands for the development of storage areas, and other support facilities.

Development of value-added facilities in parts of the 410-acre (sic) parcel owned by Union Carbide adjoining

Punta Guayanilla.

Expansion of Pier No. 8 in Ponce Harbor to a length of 3,000 feet to accommodate Panamax-class vessels.

Development of 90 acres of uplands near the Port of Ponce for value-added activities.

The final alternative for the development of the project among those discussed will be selected by the board of directors of the project, which is presided by the Honorable Governor of Puerto Rico, Sila María Calderón.

This decision will be forthcoming in the next few weeks.

I want to conclude my presentation by stressing the importance of this project for the people of Puerto Rico.

We firmly believe that the Las Américas Transshipment Port will result in significant economic benefits for the people of Puerto Rico.

From the resources point of view the Commonwealth and the Governor are fully committed to developing the project with the protection and enhancement of our environment and its natural and cultural resource.

Ladies and gentlemen, this is our project. This is where our hopes are for improving our economic future, particularly for the people in southern Puerto Rico and adjacent areas.

We need your help to make this project a reality as soon as possible.

In saying this, we are not asking any of you to waive your responsibilities in protecting our natural resources, but to share with us our hopes, and be partners in the realization of a dream that means so much for our future well-being, and economic growth.

I want to thank you for your attention and the support and interest in this project.

If there are any questions, we will be pleased to answer them.

(No response.)

MR. JIMENEZ:

Now I leave you with Mr. Ramón Amador.

MR. AMADOR:

Thanks, Héctor.

Good morning to all of you.

On behalf of AFI, I am pleased to be here, and thankful for your participation and interest in this important project.

As Héctor Jiménez Juarbe just described, our objective this morning is to provide a general overview of the role that AFI played to the development of the Las Américas Transshipment Port.

This is an essential project limited to the

preparation of the environmental documents and related to the preconstruction permits.

However, AFI is the local agency for this project.

I would like to use this opportunity to brief you on the mission of our organization, which I believe that it's important.

Since AFI is a relatively new organization, and many of the local and federal agencies are not familiar with the role that AFI plays in the development of this project, I think that it would be helpful for each of you to focus on the development in the evaluation of this project, AFI was created by Law No. 4 in 1988.

When it was created, it was created to participate and, principally, to assist the Puerto Rico Sewer Authority, Aqueduct and Sewer authorities, in the development of projects related to water and waste water.

Since then, AFI has become involved in other type of projects, other types of projects.

AFI is a subsidiary of the Government Development Bank, and it's is led by a board of directors of the Government Development Bank, and it's presided by the Secretary of the Treasury.

We are a small organization of 18 public employees.

We work mainly through consultants that provide expertise and services in the projects that we support.

It's good to say that AFI does not operate any projects. Nor does it plan to do so.

The main responsibility of AFI is to serve the government agencies, such as PRASA, and in this case, the Government Development Bank, to develop projects that they propose, as the law on this project is limited to support the planning of the Las Américas Transshipment Port.

AFI is responsible for the preparation of the environmental impact statement.

Number one, we draft the environmental impact statement in English for the review and eventual adoption by the Corps of Engineers, which is the first sponsor of this project;

The preliminary impact statement in Spanish for filing with the Environmental Quality Board;

Visiting consultant applications for filing with the Planning Board;

The joint partner application for filing with the Department of Natural Resources, including the Corps of Engineers application, permits 404, 10, and possibly 103;

Coordination with the local and federal agencies, and the community, to bring to completion approval of this document for permits.

With that preparation of a draft environmental impact statement, which is the subject of this meeting, AFI has

worked with the Corps of Engineers to prepare a document that addresses technically alternatives to the project;

Consider the potential environmental impact of each alternative;

And evaluate the local and federal interests.

We have designed a draft environmental impact statement that is technically strong, based on rigorous field investigations.

In this goal, AFI has spent a sizable amount of resources in the studies of the Guayanilla and the Ponce Harbors, as shown on the tables on the screen.

For the last several months, bi-weekly meetings have been held, were held with the participation of the municipalities of Ponce, Guayanilla, and Peñuelas, local government agencies, as well as the community.

Within the next 45 minutes our consultant on the draft environmental impact statement will present the results of the field investigations and discuss the potential environmental impact rendered from the proposed port development activities.

This study in essence shows that the potential impact from the development and operation of the port are minimal, and manageable.

We want your input to this result, and will appreciate any suggestions you may have to improve the

project and the document.

AFI is committed to support this important project that represents the policy of the honorable Governor Sila María Calderón of preserving the environment while creating opportunities for improvement in the economy and creation of jobs.

Before I finish, I want to use the opportunity to thank the Corps of Engineers for their technical support and the planning assistance that they have provided the Government of Puerto Rico.

Thanks for your attention, and if you have questions, please do.

Eng. Ferdinand Quiñones will present the elements of the draft environmental impact statement.

MR. TORRES:

By now, you probably know that I'm not Ferdinand Quiñones.

I just let my colleague Ramón Amador to jump ahead in the agenda, and I'm happy to be here.

I'll be presenting the elements of the Port of Ponce, and it's a pleasure to be here participating on behalf of the City of Ponce in the scoping meeting to present the Las Américas Transshipment Port.

I'm currently serving as the executive director for the Port of Ponce, and also as corporate manager for this

project.

I have been working for the past 10 months on the planning and developmental analysis to pursue this project, with the enormous potential to bring a new economic model to the southern region of Puerto Rico, impacting the lives of over half a million people.

Today, I would like to provide you with a general overview of the Port of Ponce, in order to frame the importance of this element within the overall scope of the Port of Las Américas.

The Port of Ponce is the second most important shipping port in Puerto Rico, second only to San Juan.

It has a tremendous potential to stimulate the local economy by taking advantage of the sea infrastructure and transshipment business opportunity faced by Puerto Rico.

Next.

The Port of Ponce is owned by the City of Ponce since 1911, as a franchise, and has been in operation since the 18th century.

Located within a 125-acres industrial zone, with direct access from the PR 52 Highway, and within minutes from the Mercedita Airport and its own industrial zone of about 300 acres.

The port, with an estimated value of over $90 million, includes the following facilities: Eight piers,

with a total length of 3,450 lineal feet; berth and dock facilities currently capable of servicing six vessels at the same time in the areas of container terminals; liquid and dry bulk; general cargo; and multi purpose cargo.

The total port facility area is about 100 acres.

It has one Panamax Faseco crane capable of handling 40-ton cargo, with an annual movement capacity of 100,000 TEU's; a container terminal with an area near 340,000 square feet; a covered warehouse space of approximately 175,000 square feet; and a cargo-handling area of about 572,000 square feet.

The entrance channel is 2.8 miles by a half mile, and have barging depth between 50 and 150 feet.

Drafts along transshipment docks fluctuates from 37 to 41 feet.

And the navigation channel is part of the federal program, and is being maintained by the U.S. Corps of Engineers under the cooperative agreement with the City of Ponce.

The relationship with the U.S. Corps of Engineers and the City of Ponce has been long and prosperous, and has included infrastructure development such as the Cerrillo Dam, and the Bucaná and Portugues developments.

This channel was dredged by 1998, and an ocean-disposal zone for the disposing of materials was

authorized at that time by EPA.

This zone was evaluated and found to be suitable for the materials dredged from the bay, and no adverse impact has been detected from the activity by the number of studies performed.

The economic impact of the port has been significant, throughout the years, on the southern region of Puerto Rico.

The port has served as an alternative port for other Caribbean sites, and has definitely become a contingency port for Puerto Rico.

The port itself has a staff of 50 people, and promotes over 300 direct jobs from private employment.

It serves as the operation basis for over 25 tenants, ranging from multiple-cargo operators, a free trade zone, the No. 163 named Codesol; the Puerto Rico Treasury Department; and recently the U.S. Customs.

Probably unknown to many, the port of Ponce has been an active transshipment port for the past 20 years. It has an annual cargo load of over a million tons, and about 65,000 TEU's per year.

Of these, 60 percent are for domestic use, and the balance is either exported, or transshipped.

The port generates approximately $3 million per year in gross revenues.

The conversion of the Port of Ponce to a deep-draft navigation port will be an integral part of the Port of Las Américas, and it will require the completion of the full repairs and other improvements to the piers to service post-Panamax vessels, including the required dredging activities to minus 45 feet.

No wetland or reclamation activities are considered.

The characterization of the quality of the sediments is a navigation channel on the bay for which proposals are under revision, and preliminary studies have shown no contamination.

Coordination with the Corps and the EPA agency, for the drafting of the management plan for the ocean disposal zone efforts have been initiated.

As we evaluate all the elements of the Port of Ponce, and put it into perspective with the elements and the contribution the Port of Ponce can make to the Port of Las Américas, with the alternatives being considered today, the success of the project hinges in providing the maximum facilities for Puerto Rico, and definitely bringing the Port of Ponce to its maximum potential.

The environmental studies that will be discussed by the consultant to the project demonstrates that the impacts of achieving this goal will be minimal and manageable.

We respectfully urge you to study this proposal carefully, responsibly, providing Puerto Rico with your most valuable advice. We strongly believe the economic growth, and the quality of life of a half a million people living in the southern region of this part of the Caribbean, will depend on it.

Thank you very much.

(A short pause is taken.)

MR. QUIÑONES:

Good morning.

For those of you that were not here when the introductions were made, I am Ferdinand Quiñones, a consultant from CSA Group to AFI.

I am pleased -- well, I know Ramón wasn't pleased to be confused with me, but I am pleased to be confused with Ramón Torres, because he's a lot younger and nicer-looking than I am.

Before I go ahead, Edwin Muñiz has suggested that we take a short break, and then we can come back in what?-- Ten minutes, Edwin? And then I will go ahead and talk to you about the elements of the environmental impact statement, and the analyses we have made of the alternatives, and all the environmental process that is going on.

So, if you could please be back here in -- there is

coffee outside?

UNIDENTIFIED PERSON:

Yes.

MR. QUIÑONES:

Coffee is outside. Be back here in about ten minutes so we can go on.

We have a long day.

(Whereupon, the meeting was recessed for 10 minutes.)

MR. QUIÑONES:

Okay, we're ready to continue. Would you please take your seats?

(A short pause is taken.)

MR. QUIÑONES:

Before...before, before I begin, there is a list -- it's the sign of the people attending the meeting back there. So if you haven't signed, if you could please raise your hand, or just pick it up so we can get a complete list of attendees.

It needs you to include if you have your email in that list, so we can provide information to you.

I think that before I go ahead, I'd like to indicate something that Edwin Muñiz said as information about this project.

There is a page on the Internet, in the Corps web page, that includes some of the actions that have been

taken, including the notice of intent, and other information.

And I understand that your intent, Edwin, is to continue updating this page with information.

So Edwin can provide this later, or if we have it available at AFI, if you're interested in continuing this keeping in touch as things move on this project.

My -- what I'm going to do here is discuss with you the scope of the environmental work that has been done, and what we have done so far, and where we are, and some of the analyses that have been conducted towards developing an environmental impact statement, like Héctor said, that will meet both the requirements of the NEPA and also the local Puerto Rico Environmental Quality Act, Law No. 9.

Through an agreement between AFI and the Environmental Quality Board, a single document is being prepared of course in English, for NEPA purposes, and in Spanish for the QB purposes, which addresses both the requirements of NEPA and the Corps and EQB.

In the case of the NEPA environmental document, ARPE and also consultants to ARPE have been working with the Corps using a template that was provided to us as a guidance document to make sure that we include all of the elements in the NEPA process that must be included in

environmental documents.

So initially what you're going to see is the document that will have probably -- I think it's going to be on the order of 4,000 pages at a minimum.

We have here some of the studies, just to show you the magnitude of the document.

In several volumes, all of these pages includes all of the field studies have been conducted. And then, of course, a Volume I, which includes the appropriate chapters that NEPA requires for this process.

I'd like to go back a little bit and review with you the scope of the project.

This project, in the area of work, it's shown in this slide here. And it is a large area that extends from the Guayanilla to the Ponce, to the Ponce area.

The reason for showing this is that I want to emphasize that the environmental studies for the preparation of the draft environmental impact statement that AFI is developing for submittal to the Corps, and reviewed by the Corps, until eventually it's circulated to the resources agencies, includes essentially the two main port areas.

And we would like to show the next slide.

This is the area of the Port of Ponce, and its vicinity, and we have the studies that Eng. Amador showed,

that we have been conducting. It includes the area of the Port of Ponce and its vicinity, including the area that were described by Héctor Jiménez Juarbe as the potential area for value-added activities for industrial and commercial and other type of activities to be developed.

And then in the Guayanilla area, for the purposes of locating ourselves, this is the peninsula of Punta Guayanilla, and then Punta Gotay that Héctor mentioned a couple of times.

And the areas to be -- this is the Union Carbide area adjoining Punta Guayanilla.

This is the parcel that Héctor Jiménez indicated were the Brownfields program for potential, eventual reclamation of this part of this land. It's included as an element of the three alternatives of the project.

The area where the structures that are being proposed for the project will be developed are in this vicinity.

We don't want to show yet a final or a schematic because there are (brief interruption in cassette) activities.

Some of you may recognize this is the Eco Eléctrica, the new power plant that uses a liquid natural gas that is in there.

And this is the navigation channel of the Guayanilla Harbor that is actively used by the vessels that navigate

in there, bringing in, whether it's liquid gas for Eco Eléctrica or there's also the CORCO port, where CORCO still receives fuel. Many people believe that CORCO is closed. CORCO is still an active operation there, although what they do is mostly mixing of field products.

But they maintain storage facilities, and they maintain a fuel-mixing operation. And they still operate the harbor, the port. They still -- not the harbor, they operate a private port.

And there's also the activity of the Costa Azul power plant that is operated by the Puerto Rico Energy & Power Authority, which also in consortio, in a contract with CORCO they receive fuels. And they actually transship some fuels from the Guayanilla Harbor to the Aguirre power plant.

Another interesting feature here that I wanted to point out is that this, in this area there is a thermal discharge from the Costa Sur/PREPA power plant, from the cooling waters they use in that facility.

And that thermal discharge is under review right now of their NPDS permit by EPA, and the potential relocation of that thermal discharge.

I mention that because when we get into the specific of some of the flora and fauna studies, and the endangered species investigations that have been conducted, there's

been a significant amount of sightings of manatees in this area.

And the people watching the manatees believe that one of the attractions of this area to the manatees is this thermal discharge.

And so we're taking that into account.

Also, as a reference, let me indicate, so that you -- when we look at the studies in relation to the alternatives that are being considered, as Héctor Jiménez described them, the Ponce Harbor includes the navigation channel, which Héctor indicated in two of the alternatives that would be considered for potential dredging, and the navigation channel extends from out here into this area, and into the existing facilities.

In the Guayanilla area, on the other side -- I'll go back one please -- there is a natural navigation channel that is currently used, and it essentially meets the criteria of the, for the post-Panamax vessels.

I think also I'd like to define briefly for you -- I don't know if everybody's familiar with the terminology that we are using on the EIS and all of these documents of what is a Panamax, and a post-Panamax vessel.

What has happened through the years is that shipments of containers was done in vessels that carried as much as 2,000 of these containers, using the definition that

Héctor gave about what a TEU is.

In time, as there's been consolidation of the shipping activities worldwide, they have begun to develop larger and larger ships.

And eventually they became so large that some of these large vessels, that can carry from 8,000 to 12,000 containers, cannot go through the Panama Canal. And that's why they're called "post-Panamax," because their width exceeds the maximum width that the Panama Canal can accept for a ship.

And so when we speak in the EIS, and all of the other documents about post-Panamax, we're talking about the very large vessels that can carry between 8,000 to 12,000 containers.

And when we speak about the Panamax vessels, we speak about the ones that can go through the Panama Canal.

I wanted to clarify this because we repeat this many times in the process.

So, with this introduction, we utilized the guidelines, the guidelines that were prepared, that are included in the Corps template.

And from that guideline we designed, as Ramón Amador indicated, an environmental impact statement that would address all of the potential issues in this region, in this area, in these two ports that would also consider

other studies and principally the prior analysis of alternatives to the port that were conducted previously, initially by the Corps itself, in a study that included a number of locations island wide. And I will go into that in a little bit here.

And then also includes the DIS draft that we're preparing, analysis of both indirect impacts that could potentially occur from this project, and also cumulative impacts.

So, we've tried, we've worked very closely with the Corps in trying to develop a product, a document that will require as little changes as possible.

But, of course, once we finish with the, AFI finishes with the draft, it will be turned over to the Corps for their internal review before it's circulated.

So what have we done so far?

To be able to address all of the potential environmental impacts that could occur from this project, and, like Héctor said, they're relatively very minor, except for an area that I will describe later, field studies were designed and conducted of all of the issues that I list here.

Traffic study, because indeed if this project is developed in its most complex form we're going to have a large number of vehicles accessing the area, during

construction, and then after construction.

So there is a need to determine whether improvements to the roads and the accesses to both ports are required.

So a scientific traffic study, using a standard traffic model, that is used by the Federal Highway Administration, was used to define the potential impacts of the activity at its peak, both during construction and during operation.

And that's included in the EIS.

We needed to define the water quality background of both bays.

Of course, when you have, you are going to increase the number of ships that will be arriving at both of these ports, there is the potential for degradation of the quality of the water on both bays.

And so the data that existed about the quality of water in both the Ponce Harbor, in the Ponce Harbor and the Guayanilla was relatively outdated.

There was some data from the Eco Eléctrica studies, but it was not as complete as we wanted to see, so we went ahead and designed a complete and comprehensive water quality investigation, to get a good background source of data, recent on what are the current water quality conditions there.

And this was done at both harbors.

The quality of the sediments was investigated in detail in the Guayanilla Harbor, and less detailed initially in the Ponce Harbor.

Since the alternatives being considered included potential fill in the Guayanilla Harbor, we concentrated the study of the sediments in the Guayanilla Harbor in the area where the 110 acres, that Héctor indicated were potential fill would be placed, but also in the navigation canal, although no dredging was proposed there.

In the Ponce Harbor, a lesser number of samples was taken, but right now there is a coordination to eventually, if dredging occurs there, to do a comprehensive sampling, as required by the Corps and EPA, prior to authorizing the dredging and eventual disposal of these materials.

The flora and fauna of the both bays was described, including the, of course, you know, the suspended flora, as we call it, and fauna, and also the benthic activity.

We contracted specialists that conducted detail aquatic flora and fauna investigations, to determine what species, what organisms are in the water, and in the benthic communities of the areas that could possibly be impacted in the navigation channels, and also in the Guayanilla area, in the area where fill would take place.

And so that's included in the EIS.

This area, in the south coast, it's very rich in archeological resources, particularly cultural, although in the Ponce area there is also, in the Ponce Harbor there also historical structures.

So we designed a comprehensive Phase 1-A investigation of the archeological resources of the area; both of the terrestrial archeology and also of the submarine archeology.

These investigations were designed in coordination with the Institute of Culture, and they were performed by certified archeologists that are familiar with their procedures. And the plans of investigations were coordinated and approved by the Institute, prior to beginning these investigations.

The submarine archeology, concentrated in the areas in both Guayanilla and Ponce, where potential activities could occur, and dives were conducted, videos were taken. And I'll speak a little bit about the results of this.

Detailed on the site, field studies of the potential noise, or the actual noise that occurs in both ports or both harbors were conducted, using systematic field measurements and calculations.

The purpose of this, as required by the EQB and NEPA, is that we define what the background noise conditions are there, and then we can add the potential additional noise

that the activities that are going to be developed, are going to generate.

So we can assess whether the ports, once they acquire full performance, will be exceeding the background noise levels.

We have to take into account whether schools or hospitals or what we call tranquility places occur near these sites so that we can maintain the noise levels below what is permitted by the local and federal law, with the wetlands definition, which eventually hopefully will be conducted to the wetlands jurisdictional determination by the Corps, including both the Ponce and the Guayanilla Harbor.

This is a detailed study that evaluated all of the wetlands in the area, and mapped them, and it's one of the investigations we'll be including.

Both the federal law, and now the EQB regulations, require that an environmental, that a socioeconomic and environmental justice study be performed.

For those of you that are not familiar with the concept of environmental justice, it's a concept that was developed by the federal government to an executive order of the President of the U.S. to try to minimize prejudice against certain groups because of their socioeconomic, religious, or race condition where projects that result in

significant environmental impacts could be located in those areas.

So in any major project, you have to conduct a socioeconomic study, and you have to make a determination whether there is prejudice towards any of these groups.

And that's called an environmental justice assessment.

So we conducted those for both ports.

There were preliminary geotechnical investigations of both ports which are being supplemented right now.

In reality, at the DIS level, we don't need to go into details about the final design of the structures. That is done in the next stage.

But regardless, preliminary borings were conducted to determine what was down there; what kind of design eventually is going to be required for the piers and the structures in both areas.

And from those borings, samples were collected for the analysis that I described before for the sediments.

Geophysical investigations were contracted by AFI to determine the slope and the areas, submerged areas in both bays, and also to look at the seismic conditions in the area, to determine whether the structures that are being proposed will be supported in the event of a design earthquake.

And these investigations are included.

The Corps conducted a study of the marine, of the currents in both bays to determine what the potential effects of the proposed fill in Guayanilla area, and provided background conditions of marine currents in both bays.

This is also required for navigation purposes.

Other analyses that are included in the draft of the EIS that we're completing now includes a list and a determination of the presence or absence of endangered or threatened species.

I'll share with you what we found.

Analysis of whether any of the areas of the project are in flood zones, as specified in both the FEMA maps and the Planning Board maps.

I can tell you that a portion of the parcel occupied by Union Carbide is in the flood zone, and, of course, you know, that area is not going to be included in the project activities.

But all of the other areas are outside of flood zones.

There was an inventory of the available infrastructure in terms of water, waste water, power, storm sewers, and communications. We need to make an assessment of what the project is going, of what's going

to be the impact of the project on these utilities and infrastructure, and identify if we have a deficit of water, or we have a deficit of wastewater treatment facilities, what additional infrastructure is going to have to be developed for the project.

The soils and geology of the area is described based on existing studies of the USGS.

We have, in terms of soils in this area, there has been a large amount of fill through the years, both in the Ponce and in the Guayanilla areas, and these soils are essentially dredge that was deposited in these zones, or fill from uplands.

And defined, those soils are not well-defined. They're a mixture of a combination of silt, and clays, and so you will see in the EIS in several large segments of both ports, when you look at the soils map, it says "undefined" because of the nature of the material that was encountered there.

An inventory was conducted to determine whether there is any hazardous, toxic, or radioactive materials in the area, as required by NEPA.

The main focus is, of course, the industrial parcels occupied by Union Carbide.

We had the advantage, the significant advantage that the Union Carbide property, it's under a remediation, and

RCRA, intense RCRA remediation activity under the supervision of EPA.

And the people from Union Carbide gave us complete access to all of the information they had about the remedial investigations they had conducted in the areas.

So we were able to pinpoint very closely what parcels of land are still under remediation, which parcels within that property have been released for potential reuse, and which parcels are committed over a long time in this area.

Some elements of these parcels are still under active remediation, which are going to take a long time.

In both, from the CORCO and the Carbide activities in the past, there had been a sizeable contamination, both, of land, most of which has been remedied, and of the ground waters in the area, which is, the remediation of the ground waters is ongoing, and it's going to continue for a long time.

There is sizeable amounts of petrochemicals in the groundwater in that area, as shown by their own studies.

Go back one, go back one.

That was the last one there. Okay, yeah.

We also conducted an inventory of the active quarries in the area. The proposal includes filling of approximately the 110 acres, and that's going to take a sizeable amount of fill.

If you don't have any sources, that means that you would have to develop potential sources of this material.

We have the advantage that in this region there are at least 12 to 15 active quarries, that have received permits from the Department of Natural Resources for extraction of material that appears to be compatible with the kind of fill that will be needed for the project.

So we conducted a detailed inventory, and visited these quarries, to make a preliminary assessment whether they will be able to supply the amount of fill that will be potentially needed in the Guayanilla area.

And that's discussed and included in the EIS.

The concept here is to minimize the environmental impacts by, if possible, utilizing existing quarries that have permits, and which have already, we have analyzed the impacts.

Go ahead, Angel.

So let me begin, before I get into the traffic studies, I'd like to jump to the other side, and show you the map of the alternatives.

I indicated that, I indicated that the basis of the analysis of alternative was initially the preliminary and relatively-detailed study that was conducted by the Corps itself.

We have -- I mean, this is a complex map that shows

all of the sites, and it's difficult to -- I know you cannot see the labels from there -- but it was just to show you the sites that were considered in the Corps analysis, and were also analyzed in a little bit more detail by our staff to, as part of the process of identifying the more reasonable and the size that involved the less-environmental impact, and that represents the public interest.

There is a larger copy of the map that is here. Julito has it now, so if you can later let it circulate.

But in essence what this shows is that every potential bay and harbor in Puerto Rico that had some potential for the siting of this project was included in the Corps analysis, and then expanded, that analysis expanded in the EIS.

And you will find eventually a table in the EIS that will include each one of these sites, with the advantages and disadvantages in terms of environmental impacts and economics of these sites.

Of course, you know, it includes the sites in Guayanilla, this is the Arecibo Port. The San Juan Harbor was included. Fajardo.

And this is the Yabucoa active port.

The Aguirre Port.

Of course, you know, the Ponce. Adjoining the Ponce

Port, there is an area called Matilde, which I'll show you in a moment, that was also included in the analysis.

This area, it's in between the Guayanilla Harbor and the Ponce Harbor.

The Matilde site was included in the investigations conducted by Frankel in 2000, as one of the three sites with the most potential, because of its location in the south coast. And, you know, moving to the west, of course, you know, the Guánica Harbor, and then the Mayagüez Harbor were included.

So for each one of these sites we took the information that the Corps had developed, in their preliminary analysis, and we expanded it to bring it up to date, and to determine what the advantages and disadvantages is.

Out of this detailed analysis, we focused in on the three sites that are discussed in more detail in the Environmental Impact Statement, which are the Ponce Harbor, the Matilde area, and the Guayanilla Harbor.

And from there we analyzed the advantages and disadvantages of these sites, these three sites, and eventually discarded the Matilde site because of the significant potential environmental impacts that that site would entail.

So, from there we will, we went into the detailed

analysis of the environmental impacts of each one of the two sites that are included in the, will be included in the DIS.

And keep in mind that these two sites are both parts of the proposed alternatives, in all the three alternatives that Héctor discussed; the Ponce Harbor, and the Guayanilla Harbor are an integral part of the project regardless of which alternative is adopted by the board of directors of the port.

And therefore the environmental impacts of both activities have to be considered jointly and commutatively, and associated with each other.

So what did all of these investigations conclude?

Well, traffic study, we have to remember that in these areas we have, in the two ports we have different situations.

The Ponce Port has an excellent access to the port, from the expressway, the bypass of Ponce, with an expanded route.

So the analysis from the traffic study show that minimal impacts and minimal improvements will be required in that area.

In Guayanilla we have a situation, if you remember, when the port, when the Guayanilla area was operated, there were a sizeable number of employees, as many as

5,000 one time, between the CORCO and the Union Carbide and the other industries in that area.

So the roads in that area were able to manage, although kind of slowly -- I used to work there when I was much younger -- and there's no doubt that the project as proposed in the Guayanilla element would have an impact on the traffic in that area, both during construction and operations.

So, the traffic study identified the intersections where traffic would cause delays. And then, of course, improvements to those intersections, and a potential additional access to the expressway, be an access road from Punta Guayanilla -- if you can show me the Guayanilla Harbor here.

If most of the port activities are in the area that would be filled, and in the value-added areas that could be developed in the Union Carbide property, some additional access to improve the existing roads, and then eventually connect with the highway out here, will have to be done to minimize the traffic impacts.

And we list where these improvements will have to be made, in coordination with the Highway Authority.

The water quality investigation revealed that in general there are no significant problems in both bays, although we have some hits, a couple of samples indicated

the presence of asbestos in the Guayanilla Harbor.

We believe these are industrial residues, and they're not significant.

And this data is compared with the potential discharges that could occur from the activities, to give us a better impact analysis.

But in general, we have good water quality conditions in both bays, and the potential impacts of filling and dredging, in those, in the quality of those waters, we estimate that they will be temporary.

When you fill, or when you dredge, you are going to be disturbing the bottom sediments, and that's going to cause temporary increases in turbidity. It will cause probably temporary decreases in the dissolved oxygen.

And it will have a temporary effect on the flora and fauna of those areas.

But once these activities cease, we conclude that the quality of the water should return to normal.

There is -- of course, you're going to have a larger traffic of vessels. But in reality, because of the size of the vessels, the studies conducted by Frankel show that in 10 years we probably will have a maximum of about 1000 vessels per year coming into these harbors.

And so in terms of water quality, we don't expect to see any significant permanent impacts.

There were some -- the sediment analyses show that there are some metals in the sediments, in the Guayanilla Harbor. And this was to be expected.

You have had a sizeable industrial activity there for 30 years, with a continuous discharge to the canals that drain the industrial area into the harbor, and outside.

So there is the expectancy that you will find some petrochemical derivatives, and that includes some trace metals in those sediments.

But none that will cause a potential problem after fill activities are conducted.

We conclude that these construction activities, when the piers are built or constructed, will have also temporary impacts on the quality of the sediment. But this, once you finish these activities, it will resume its normal condition.

Of course, the EIS analyzes the interaction between the water quality and the flora and fauna in the area; particularly in the Guayanilla Harbor.

And let me speak about that when I get to that.

The flora and fauna studies, in the area proposed for filling the Guayanilla Harbor, identify that the zone is essentially devoid of significant marine life.

There are some patches of sea grasses. There's no significant corals in the area. And therefore the impact

of the fill itself, other than the reduction of the marine habitats by reclaiming those submerged lands, does not appear to be significant. It's not going to be significant, since there is no large sea grass beds; there is no large coral communities in there.

Since in Ponce the activities would be limited to construction activities of the piers, those are relatively small areas.

Dredging of the Ponce Harbor, this is an active channel that has been dredged previously by the Corps in 1986, '87, '88, and where marine life, benthic life is very limited.

And so, from that point of view, the environmental impacts to benthic marine life are going to be temporary.

Once -- in a navigation channel like that, you do have certain organisms that are bottom-feeders, organisms that are there. And they will be disturbed when you dredge, but once you finalize the dredging, the communities in there will be re-established.

Except if you have large patches of sea grass, which we did not encounter in large numbers in either of the two bays.

And then, of course, in those cases, minimization actions will be taken.

And if needed, and determined by the Corps,

mitigation activities.

The J.D. indicated that there are sizeable wetlands in both areas, but the proposed design includes only minimal impacts to the wetlands.

There are shoreline wetlands, mostly mangroves, here in the Punta, in the Guayanilla peninsula area, that would have to be filled to possibly a maximum of about 10 acres, to be able to accommodate the access activities to the storage area which will developed in this zone.

In the Ponce area, there are sizeable wetlands, but the current plans does not include filling or actually disturbing those wetlands.

So in terms of wetlands, there's going to be a minimal impact of possibly a maximum of 10 acres, for which mitigation activities would be coordinated with the Corps.

In the Ponce Bay, during the dredging operations, nearby sea grass communities would have to be -- would probably be impacted temporarily, but once that activity ceases, and the best estimates we have, and Ramón Torres can corroborate this, is that if dredging takes place it will take about 6 months to complete that activity.

And so it is really a temporary activity that would have a minimal impact.

The construction of the project elements will remove

a relatively small amount of the rest of the flora.

In here, most of the area in Guayanilla is going to be fill activities, and the Union Carbide property is essentially devoid of significant vegetation.

There are, like I said, the mangroves in this area.

In the areas proposed for value-added activities in Ponce, there is also relatively low numbers of vegetation.

And what will be removed, it does not include any species that are endangered or protected or important, according to the DNER.

It's mostly shrubs, thorny pastures, and vegetation.

So they're not considered significant.

Similar thing in the Ponce area, of course, I mentioned that there are sizeable wetlands in that area. But the current project alternatives do not include an impact in those wetlands.

We recognize that when you develop a project such as this, there are some species of fauna, mostly birds and probably some reptiles and lizards and frogs, that during construction will be impacted, and will have to migrate.

We have identified one species, one endangered species of bird that resides in the area, and whose habitat would be temporarily impacted.

But we believe, and we have concluded, that this

would not be significant.

In the EIS inventory, we inventoried the threatened and endangered species that occur in the proposed project areas, and also in its vicinity. And this includes, of course, a number of whales that navigate outside in the ocean, in their migrations.

We identified, inventoried the potential species of whales that do, are known have been observed in this vicinity, and made an analysis of the potential for this species to be disturbed.

And then, of course, we have the manatee.

The manatee is known to occur in this area. It's probably -- the Guayanilla Bay is one of the areas in Puerto Rico is where more sightings of manatees occur.

And this has been taken into account.

We have to keep in mind that this, in the Guayanilla element of the project, the Guayanilla Harbor, there are active, marine activities by three organizations; PREPA; Eco Eléctrica; and also the Port Authority.

And these vessels come through there all the time.

Eco Eléctrica, in their final environmental impact statement, and coordination with the resource agencies, developed a management plan for the protection of the manatee.

We conclude that this same plan for the protection of

the manatee in the Guayanilla Bay can be adopted and enhanced, as part of the project, to provide the necessary protection to the manatee, in such a way that the potential for collisions of the vessels with these threatened, endangered species is minimized and prevented.

And so we've been looking at the information that has been collected by the consultants to the Eco Eléctrica, which maintain continuous vigilance of the sightings of the manatee in the harbor, so that we can use those protocols to minimize the potential impacts to the manatee in the harbor.

So, we will work closely, AFI and the government will work closely with the resources agencies to develop those protocols.

This area, as I indicated before, it's known to have large, rich archeological deposits. But we're fortunate in this project that the archeological studies, that involved terrestrial and marine, did not reflect any deposits in the areas that will be developed.

However, let me point out that this was notified to the Institute of Culture, that the Río Tallaboa flows from the hills here, and discharges to the Peñuelas Harbor, on the eastern edge of the Union Carbide property.

Right on the banks of the Tallaboa River, but outside of the area proposed for development as part of the

project, or for consideration, a significant archeological find was identified, right on the banks of the Río Tallaboa.

And, actually, we, AFI immediately notified the Institute of Culture, because this archeological find there, it's being endangered, it's being damaged by floods, and it's exposed.

So we submitted to the Institute a formal notification of the find, emphasizing that it's not in the area included in the project, but it was identified by our archeologists as part of the Phase I-A investigation.

So we have, we will have no action, no impact on this, direct impact on this deposit. And we don't know what the Institute is going to do, relative to this deposit.

The archeological, the submarine archeological investigation included in the areas where the potential fill will be deposited, and also in the Ponce Harbor, where the extension of the piers and decking areas will be conducted, and in none of these areas there was evidence of any submarine archeological deposits.

When you look at these archeological studies, you see that they do a lot of research about what has happened in the past, and it's known that in this, particularly in the Guayanilla Harbor, there is a history of a number of

shipwrecks that took place probably during hurricanes many, many years ago.

But there's no evidence of any artifacts in the vicinity of the areas that will be used by the port.

In the navigation channel, it's already in use, so we don't expect that activity, even with the larger vessels, to disturb anymore, any potential deposits that could be there, which were not identified.

The noise investigation concluded that right now we have background conditions that meet the EQB and federal criteria, and the only, the only issue is that during construction activities, particularly during the driving of piles for the construction of the docks and piers, you may have temporary instances of exceeding the noise levels established, and it could reach levels that are slightly above the regulatory levels in the nearby communities, when you are driving those pile drives.

So that is an activity that will have to take place, once the project is approved, and will be temporary and will be minimized.

Somebody asked me the other day about the potential conflicts between pile driving and the new noise law that was put in place because of the naval activities in Vieques, and it was an interesting question that I didn't have the answer, nor any of the lawyers we consulted.

So, it will have to be addressed by the -- later.

The areas I indicated that we have, that we identified and mapped, sizeable wetlands areas involves harbors in the vicinity, and the 93 acres that are listed here in the Guayanilla area includes the parcels of Union Carbide here, which are not going to be impacted by the project.

Of course, you know, there is a lot of other wetlands in the Guayanilla area, and then west of here.

If we go back to the first one that shows both maps...

The Matilde area here, in the Matilde area there is also very large wetlands.

But, of course, that alternative was discarded on the second round of analysis of alternatives.

And the areas, the only impacted wetlands would be the 10 acres in the mangrove coast, coastal mangroves that would have to be filled in in the Guayanilla peninsula.

Next.

Next.

Héctor provided you information about the socioeconomic impacts of this project. And all of the analyses showed that this will be a significant socioeconomic impact to this region.

And there is going to be a sizeable development.

There is going to be investments, value-added activities.

You expect that the population will grow in support of these activities. And the socioeconomic analysis addresses these issues.

There is some cumulative issues that are included in the socioeconomic analysis.

For example, as the DIS describes what would be the potential sources of additional water for any developments in the area, and an inventory of potential additional sources of water to the region are discussed.

The analysis includes the tables, that I'm not going to show again, that Héctor showed with the economic impacts in terms of dollars, and in terms of employment in the area.

I think what is important to understand here is that we can make projections of what these developments are going to be, on the basis of historical data that is available for the zone, and what we think is going to happen.

But we cannot forecast, beyond a reasonable limit, if this port, as proposed, with the elements that were presented by Héctor, even in the most comprehensive alternative, is going to create the number of jobs that we estimated in the year 10 or year 20.

So on the basis of those jobs, we can, we make an

educated analysis of what the impact of those activities are going to be on land uses, on utilities, and on the infrastructure of the area.

And that is the best that can be done with the time frame that we have, and the data that we have.

These are the numbers that Héctor had before.

In terms of environmental justice, the socioeconomic analysis concludes that there is no reason why -- there's no evidence indicating that the location of these activities that involves Guayanilla or Ponce, will have an impact on any specific groups.

We know that close to the Guayanilla Harbor, and the Ponce Harbor, there are communities which actually will benefit from the development of the project.

And to the contrary, I believe, and we've had enough feedback, that most of the people in those communities are very eager to see this project develop.

And because it will provide them opportunities for their economic improvements.

So this basically is what we have done so far.

The alternative analysis, we also conducted a cumulative impact analysis that you will see in the DIS, where the interaction between the activities proposed for both port activities, related to the regional activities that are existing or planned in that zone, could cause, in

terms of environmental impacts.

Right now there is no, other than several housing projects, there is no other large industrial activities proposed in the area.

I don't think Ponce has any significant industrial activities that we don't know of recently.

And so the cumulative impacts, in terms of other large industrial projects, will not occur, because there are no other large industrial projects proposed in the area.

And so the only cumulative impacts related to social developments, in terms of housing, and in terms of businesses, that could develop directly or indirectly, as a result of the port development, are outside of the area of analysis at this time.

So this is essentially where we are in terms of where we are with the EIS. We have essentially completed all of the -- all of the studies are completed. We have copies of them here. One copy if anybody after the meeting wants to scan them.

There is -- the document itself, Volume I, we have completed the first draft -- actually it's like a third draft -- of all of the chapters.

And we're waiting for the final decision by the board of directors of the port of the alternative that will be

selected.

And then after, at that time, shortly thereafter, we will coordinate with the Corps, to provide the Corps the draft for their internal review, and begin then the rest of the process that has been described.

So I'll be happy to answer questions you may have.

Or if I left any topics out of my memorized outline here, I'll be happy to answer them, or address them.

Yes, Susan...?

MS. SILANDER:

Yeah, I have a quick question.

You mentioned several times current plans.

My question is, what exactly do you mean by "current" versus "future"? Are there future plans that aren't being expressed here? Or--

MR. QUIÑONES:

No, it's a relative term that I used.

What I mean is that the current alternatives, is what I should have said, instead of current plans.

The port, as proposed, what is being proposed is if the board decides that the alternative to be utilized is number one, which includes the development of both ports, Ponce and Guayanilla, as deep draft ports, that's what I mean as a current plan.

There is no plans that I know -- and I don't think -- Héctor may want to comment on that, or Ramón Torres -- there are no plans for further activities outside of what will be described in the EIS.

Héctor, that's...?

MR. JIMENEZ:

You are correct. (Off mic, inaudible).

MR. QUIÑONES:

Yeah.

MR. JIMENEZ:

(Off mic, and partially inaudible.)

Up to now those are the alternatives.

MR. QUIÑONES:

Yeah. So, it was a term that I used, because I was speaking about the current alternatives, instead of implying that there were future plans.

MS. SILANDER:

I wasn't sure whether there were future phases that we were talking about or--

MR. QUIÑONES:

No. No, the project as proposed -- Of course, the alternatives that Héctor presented show that if Alternative No. 1 is selected by the board, it includes a pier in Guayanilla to service as many as four post-Panamax

vessels at the same time; an extension of the piers in Ponce to service as many as two post-Panamax vessels at the same time.

I don't think anybody can predict that if within 10 years Puerto Rico would be able to capture a much larger segment of the transshipment business, and then we would not be able to service 6 post-Panamax vessels at the same time, then I suppose that at that time somebody's going to have to review and propose an amendment to the project to consider.

But that's in the future.

The estimates made in the two economic studies indicate that the proposed elements, that I just described, in Guayanilla and Ponce, should be able to handle the traffic through the next 20 years, Héctor?--For as many as 1000 ships a year.

MS. CARRUBBA:

So, does this mean actually that you changed this so that the, about 750 acres in total, with value-added lands and everything else, in Guayanilla, is no longer true? It's downscaled?

MR. QUIÑONES:

Yeah, what happened was that in the preliminary information that was described in the initial EIS, that was published -- and I didn't speak about that, but if you

want I can clarify that, too -- that number was used.

MS. CARRUBBA:

I'm sorry, I'm with National Marine Fisheries Service.

MR. QUIÑONES:

Yeah.

Let me give you a one-minute background.

Some of you know that this project was -- and a preliminary environmental impact statement was developed and filed last year with the EQB.

That document -- when Mr. Amador came to AFI, and through the Government Development Bank -- was reviewed, and it lacked many of the investigations and studies that had been, that have been conducted now.

And that document, which was circulated to National Marine Fisheries Services, and all of the agencies, was later recalled by AFI.

And a decision was made by AFI to do a new environmental impact statement, because of the deficiencies of that document.

As we move into the new document, we worked very closely with Union Carbide, and we determined, or, I don't want to use the word "discovered" -- but the data showed two things: The number of acres that could be available for value-added activity are much less than what is the

total parcel.

And that is because the area has several features.

Number one, the wetlands -- Show the Guayanilla one, Javier. Show the Guayanilla.

The...Yeah, the parcel of Union Carbide, that includes the 600-and-some acres, includes this -- is it 80-some acres of wetlands in here?

It also includes two long-term remediation activities. There is an industrial landfill at the facility, it's in this area, that is under RCRA, EPA permits to continue operating.

So that cannot be touched probably for the next, I don't know, 50, 75, 100 years.

There is also a water treatment plant that includes some of these treatment lagoons, and it has an outflow where, through a system of wells, they pump the water, that is contaminated with petrochemicals, and this treatment facility they have there, they treat the water, and then discharge it to the, to the, to the Peñuelas Bay, under an MPDS permit.

And so those lands, when you take those out, you begin to reduce the parcel.

There is also a number of acreage that is still under EPA remediation activities, that we cannot include in the final planning, because they will not be available. We

don't know when EPA is going to release them for potential reuse.

And that's part of the Brownfields activity that could be looked into in the future.

And then there is also a sector of this wedge here, of the Carbide parcel, that is within Flood Zone I of the Río Tallaboa.

And, of course, you know, no developer is going to come in there and build any structures, because the law, the Planning Board will not allow it. The Regulation No. 13 prohibits building in Flood Zone I.

And so that is why that number is so much less.

MS. CARRUBBA:

But all of that is a moot point, no?--because you're talking about not constructing in Ponce, other than actual extension of the pier, and things like that, you're not--

MR. QUIÑONES:

No, no.

MS. CARRUBBA:

--or are you also planning on value-added lands in Ponce--

MR. QUIÑONES:

No, it's--

MS. CARRUBBA:

--that it doesn't talk about in these alternatives?

MR. QUIÑONES:

No, no, the alternatives that Héctor described, all three alternatives, whether it's the most comprehensive, include the development of value-added areas in Ponce.

What it does not include, in Ponce there is not going to be any filling of wetlands, or filling of marine land.

Initially, because I think I know what you're thinking, initially, in the initial EIS, and in the initial proposals, fill of approximately, how many acres in Ponce was contemplated, Joe?

(Response inaudible, off mic.)

MR. QUIÑONES:

About 60 acres of shoreline adjoining the Ponce Harbor was contemplated for fill.

That is not included in any of the alternatives.

The alternatives, all of them include development of value-added areas in Ponce, now about 60 acres, but no fill in Ponce. And no impact to wetlands in Ponce.

Does that clarify your question?

(Response inaudible, off mic.)

MR. QUIÑONES:

Okay. Any other questions or comments?

MR. HALL:

Sir, I'm wondering -- Okay.

John Hall, U.S. Army Corps of Engineers.

What I'm wondering is if we want to continue now, or take another 10-minute break.

I mean, this is, you know, Félix is ready to eat now, he says, so...

MR. HALL:

Well, excuse me, Félix...

MR. QUIÑONES:

I'm game for that.

MR. HALL:

Yeah, I think -- Okay, I mean, I think what we'd like to do, what, from the Corps' perspective, what we'd like to do now is, you know, whatever we decide, if we're going to take a break, or whatever we're going to do, we would like to maybe just proceed through alternatives, and then any issues that anybody might have, and any questions or comments on studies that are, that are--

MR. QUIÑONES:

Yeah.

MR. HALL:

--that have been done, or are ongoing, or maybe planned, or things, additional things--

MR. QUIÑONES:

Sure.

MR. HALL:

--that need to be done.

MR. QUIÑONES:

Yeah, I think -- Yeah, so why don't we take a 10-minute break, and then come back.

Okay, let me ask Andres: When will lunch be ready?

(Response inaudible, off mic.)

MR. QUIÑONES:

Right here.

(Response inaudible, off mic.)

MR. QUIÑONES:

He says we have some stuff to eat there. If you eat it now, that's lunch.

So let's be back in 10 minutes.

(Whereupon, the meeting is recessed for 10-minutes.)

MR. QUIÑONES:

We are ready to continue.

What I would like to do now, since -- I have the feeling that we still need to clarify a little bit more what the scope of the three alternatives that were included in the notice of intent are, so that we understand them fully.

I think part of the issue is that since that prior EIS was published and circulated, so I know Héctor presented his, but just to -- I'll go through these alternatives very quickly.

And then we would like to go into the purpose of the

project, and the alternative analysis that we conducted of all of the sites that I showed on that map, and showed on the list.

So, the Alternative No. 1 is the most comprehensive.

This alternative includes firstly the development of both the Guayanilla and Ponce Ports as deep-draft navigation ports.

The Guayanilla Harbor would not need any dredging. The Ponce Harbor would be dredged to a minimum of 45 feet deep.

This is what this alternative involves.

And then construction of piers in Guayanilla, a 6,000-feet-long pier with the docks and berth areas.

And in Ponce, you know, we'll go through that in a moment. Expansion, extension of the existing pier.

In Guayanilla -- go back.

The fill of -- in Guayanilla the fill of the 110 acres here for development of loading and unloading areas for the potential port there.

And also potentially filling of about 10 acres of wetlands in these areas; mostly mangroves.

And the use of parts of the Union Carbide parcel.

We say it's a 480-acre parcel now because of the lands here that are excluded. But even within those 480 acres, we estimate that potentially we would have

available, what?--about 200 -- How many acres, Angel, was the final count?

(Response inaudible, off mic.)

MR. QUIÑONES:

Yeah, 390 that could be potentially available.

And then in Ponce, on the next bay, in this Alternative No. 1, I mentioned dredging of the Ponce channel and navigation areas, extension of the Ponce piers to 3,000 feet, to be able to service two post-Panamax vessels at the same time.

Disposal of this material would be either at the EPA authorized disposal marine area south of Ponce, for which, you know, other activities would be done.

And then also development of areas in the vicinity of Ponce without any impact to wetlands.

So this is the Alternative No. 1, the most comprehensive.

So we go to the second one.

What is the difference between the first one and the second one?

The only difference, in reality, is that under the second alternative the dredging of the Ponce channel would take place later, and not immediately.

So that's the only real difference.

Is that -- That's correct, Ramón? There is no other

differences between No. 1 and No. 2, except that the dredging of the Ponce channel would be, would be later?

(Response is inaudible, off mic.)

MR. QUIÑONES:

Right.

MR. AMADOR:

X amount of years, and eventually conversion to a post-Panamax.

MR. QUIÑONES:

Yes, right, that is a good explanation. Ponce would be initially to service Panamax, the smaller vessels. And eventually to service both Panamax and post-Panamax.

And there is no difference, other differences between Alternative 1 and 2.

And then Alternative 3, the only difference is that there will be no planned dredging of the Ponce channel and harbor.

So bear in mind that what I explained before, that the alternatives, all the three alternatives include fill, reclamation of marine lands, 110 acres of fill in Guayanilla.

No fill whatsoever in the Ponce Harbor, in any of the three alternatives.

Anybody has any doubts about what the scope is of the three alternatives?

(No response.)

MR. QUIÑONES:

Okay.

So what -- We're going to bring here the slide, Angel, that has here -- No, on this, on Héctor's...

(A short pause is taken.)

MR. QUIÑONES:

A question that John has asked, has asked us to clarify what is the purpose and objective of this project.

Héctor explained that there is really, there is two objectives: You know, the development of a deep-draft navigation facilities, so that Puerto Rico can have an opportunity to capture part of the business, transshipment business that is available.

But also enhance its economic development through both value, development of value-added areas, so that the main purpose is to enhance the economic development of Puerto Rico, through the development of these deep-port facilities.

There is a second objective, which is, we pay a lot of transshipment fees right now, because we don't have most of the international transshipment activities taking place in large vessels.

Those vessels cannot come to Puerto Rico.

So any, most, a large percent of the containers have to be transshipped somewhere else, and so we have to pay transshipment fees that if we would have an actually port here in the island, deep-draft port, we would not have to pay those transshipment fees to Freeport, or Jamaica, or wherever they take place.

John, I don't know if you want me to clarify anything else about this.

MR. HALL:

What I wanted to try to do is -- a critical first step, I think, is to have some general agreement on project purpose and need.

And I think what I see there in the two slides -- the one before -- No, let's see--

MR. QUIÑONES:

Go back.

MR. HALL:

--this one and the one after -- Okay. Okay.

With these two slides, what would happen in Puerto Rico if the Corps of Engineers denied permits for both of these ports?

That is, that's equivalent to the "no action" alternative.

MR. QUIÑONES:

Yes, yeah.

MR. HALL:

And so I think that probably, at least in the analysis -- I mean, I'm not suggesting that's what we're going to do, by any means. Please don't get terribly excited one way or another.

But I think in the, in some general way, in the alternatives analysis, since you're talking about a Caribbean wide, possibly southern United States, Central America, and South American market area, there needs to be something in the NEPA document that talks about what would happen if this port didn't happen in Puerto Rico.

That's all I was trying to get.

MR. QUIÑONES:

Héctor, do you want to say something about that?

MR. JIMENEZ:

Of course I do.

First, as everybody knows, we have a high unemployment rate.

First, we are in the process of developing strategic, strategic projects in order to create employment, in order to avoid dependence, in order to promote self-esteem between the Puerto Ricans, because they have job, they have something to do, in order to promote education, because those jobs needs in some instances specialized professions, or trade, or whatever you say.

And that will mean that maybe Puerto Rico will continue as it is. That there will be maybe no big hopes to improve. And that is really bad for Puerto Rico. It's bad for the United States.

And what we are trying to do is to have a project that really permit us and allow us to grow, and to avoid dependence.

MR. HALL:

And the only -- I think I can speak loud enough for everybody to hear me -- the only--

UNIDENTIFIED PERSON:

I can, yes.

MR. HALL:

You can?

UNIDENTIFIED PERSON:

Yeah.

MR. HALL:

Oh, well, you can hear me now -- I'll speak--

The only point I'm trying to make is that the NEPA documents, there is an array of alternatives, and from a regulatory perspective, the alternatives go from no action, which is the permit would be denied, or the project is abandoned, and there are certain consequences, there are certain environmental and socioeconomic

consequences of that alternative.

And I think at least the NEPA document somehow needs to address that in some way.

And I'm not suggesting that the facility be built in Buenas Aires, or Venezuela--

MR. JIMENEZ:

I know that you will not do that.

MR. HALL:

No, no, but, I mean, what we need in the NEPA document is a breadth of alternatives analyzed so that someplace in that spectrum of alternatives, from the no action alternative to an alternative that basically has -- I don't know, I'm just going to say this from the absurd -- we're talking, we're looking at the bookends, in terms of alternatives analysis.

An alternative that would have both Guayanilla, that would have both Guayanilla and Ponce dredged to 70 feet -- I'm just being absurd here -- but, you know, but the worst -- not the word even necessarily -- but, I mean, what's going to -- you know, what's going to happen over the next 10 years, you're not going to have anything more than post-Panamax vessels.

So I think we just need, in the EIS we need a range of alternatives that goes, that goes outside what is in

Puerto Rico's interest, probably what's in the United States' interest, just to make sure that we have the bookends out there.

That's all I'm saying.

MR. JIMENEZ:

Basically we have the facts to provide you (inaudible, off mic.)

MR. HALL:

Okay.

MR. JIMENEZ:

I'm afraid, of course, then that the proposal be more than 4500 pages. (Rest is inaudible, off mic.)

MR. HALL:

And, again, please understand by me asking this, I'm not suggesting that the port belongs anyplace else than Puerto Rico.

I'm simply saying, I'm simply saying that there is a -- you know, we have to look at a no-action alternative.

MR. JIMENEZ:

I believe it's necessary to provide you with (rest is inaudible, off mic.)

MR. HALL:

That's all.

MR. QUIÑONES:

John, the draft of the DIS, the draft of the draft

that we will provide Edwin includes a section on the no-action alternative.

And it, of course, is what would be the results of that.

It says, the port would not be built. Then jobs would not be created. Economic incentives would not be created. And Puerto Rico would lose the opportunity to capture a segment of the transshipment market.

There is some transshipment at Ponce, as Ramón illustrated, and also at San Juan.

So the analysis said that, includes that any transshipment will be limited to Panamax vessels, and would be limited to the capacity that the two ports, Ponce and San Juan have to handle whatever we can capture.

But, and so it brings, along those lines, that is an element that is in there.

MR. HALL:

When I make a sign like this, you can't record this.

But when I make a sign like this, I say, okay, I understand.

MR. QUIÑONES:

Okay.

MR. HALL:

And what you said, what you said, I, you know, said, I agree with.

MR. QUIÑONES:

Right.

MR. HALL:

I mean, since we're -- because--

MR. QUIÑONES:

Yeah.

MR. HALL:

--I mean, we're, this is our scoping meeting, right? And so do you mind if I go like this or like this or like this?

MR. QUIÑONES:

No.

MR. HALL:

I mean--

MR. QUIÑONES:

That's good.

MR. HALL:

Not personally, but--

UNIDENTIFIED PERSON:

(Speaks off mic, inaudible.)

MR. HALL:

Right, right.

MR. QUIÑONES:

Beverly has a question. Beverly, if you'll allow me just one more comment.

The analysis also includes what the option that the port would be built some other place. Like you said, in Venezuela, or Cuba, or the Dominican Republic.

Somebody suggested to me there at Roosevelt Roads.

MR. QUIÑONES:

Beverly, Beverly, you have a question?

MS. YOSHIOKA:

Hi. Beverly Yoshioka, Fish & Wild Life Service.

Yeah, I had several comments. Since you have your map up there on the right, essentially the scope, geographical scope of the studies that you're considering.

You go pretty far east of Ponce. You stop in the middle of Guayanilla Bay.

We've made comments in two previous letters on this project, and one of our comments is that the whole of Guayanilla Bay should be included in the scope of these studies, because any port activities improvements in Guayanilla Bay have the potential for impacting the western part of the bay, as well as the eastern part of the bay.

This could be through spills; through groundings; through increased turbidity in the water from ship traffic.

There's a number of things and expected impacts from these activities.

I think it needs to be expanded to the west, and I'm not sure why it runs so far to the east.

MR. QUIÑONES:

Let me clarify that.

Could you bring the Guayanilla...?

This point here is called Punta Berraco, which is a connection to the dry Guánica forest land.

And I don't know if we have a figure here that shows a broader scale, but just leave it there for a moment, Ramón.

The basic studies of the EIS that relate to natural resources, such as flora and fauna, and archeology, and water quality, and sediments, do what you're saying.

They -- you know, we show this because this is the center of activity of the physical developments of the proposed project, but it doesn't mean -- and I should have clarified that -- that we put a line there, and we studied from there on.

The archeological studies extend all the way into Punta Berraco, the flora and fauna study.

The currents include the whole bays, both bays, Ponce.

The endangered species inventories went all the way into Punta Berraco, and the limits of the Guayanilla Bay.

The mangroves, the wetlands were identified through

all this area, and on the Ponce side.

But we focused on the ones that could have potential impacts.

So I think we're doing -- when you see the documents -- and by the way I put the, the--

MS. YOSHIOKA:

Okay, but you know where I'm going with this--

MR. QUIÑONES:

Yes, we do.

MS. YOSHIOKA:

--when we brought up the issue of Punta Berraco before.

The other thing is concerning the alternatives that are being considered.

From our point of view, as a natural resource agency, there's very little difference between any of these alternatives.

The only difference is a little more dredging, some dredging in Ponce.

We really believe that the scope of the alternatives should be expanded to include, one, the development in one site, rather than two.

We're talking now about two ports, not one.

It may be a transshipment port, but in regard to facilities that are needed, it's two ports, two turning

basins, two navigation channels, two docking areas.

I'm not saying that it has to be in one, but what bothers me is that the alternative was never considered of doing only one site.

And what those impacts would be versus developing at two sites.

You know, footprint of project, what areas are likely to be affected, all of those sort of things.

MR. QUIÑONES:

The alternative of one of the two ports by itself is included in the alternative analysis.

What was distilled was that in essence when you make projections -- we have a very active port in Ponce that does have a tremendous amount of facilities.

And there's also a consideration of time involved, and the long-term economics of the overall process.

I don't know if Ramón wants to make a comment about what the -- there is a limitation--

MR. TORRES:

(Speaking off mic, partially inaudible.) ...going to the market faster, since the infrastructure of the port is there, the city infrastructure is already developed, preliminary estimates has shown that perhaps a small amount of money will be required to enhance the infrastructure of the city, to service the port.

And obviously the active transshipment activity going on at the Port of Ponce, and the short period of time to develop the necessary repairs and improvement of the port, will enhance the opportunity of Puerto Rico to get into this business, to get involved in this facility, while major developments are completed in Guayanilla.

And that is one of the main objectives of the Port of Ponce.

MR. QUIÑONES:

Now, while you give the microphone to Beverly...

Beverly, there is a timeliness issue here.

This is a business that is -- there is going to be a lot of people trying to compete, and develop deep-draft ports in the Atlantic Seaboard, and in the other parts of the Caribbean.

So, the longer we delay, then Puerto Rico could be a little bit late.

So we want to do what Ramón says; we want to do this as quickly as possible--

MS. YOSHIOKA:

Okay, I realize that.

MR. QUIÑONES:

--to take advantage.

MS. YOSHIOKA:

But what I'm saying, though, is something different

here.

What I'm saying is that the alternatives analysis did not really consider this possibility that we saw, except for a brief consideration in the overall alternative sites analysis, that was done around the island.

And, you know, what I'm saying is that you've considered it in terms of your economic needs, benefits, to some extent, if the criteria are there for the port.

What has not been compared is what the impact differences would be between say one site versus -- and I'm not saying either Ponce or Guayanilla, okay?

I mean, it says in there that Ponce doesn't meet the criteria for the larger-scale post-Panamax vessel.

MR. QUIÑONES:

As it is, as it is now.

MS. YOSHIOKA:

As it is now.

But whether it could be made to do that, versus Guayanilla, whether Guayanilla is the site, either one could be a separate site. Or the two together.

And what the differential in impacts are between that.

I'm just asking, for the record, that these be included as alternatives in your major considerations.

When you came down to the final alternatives, after

your initial site selection analysis that we've seen at least the Corps analysis, all of a sudden it got weaned down to these two sites, and it's both.

MR. QUIÑONES:

Okay.

Let me clarify: The draft EIS we're going to turn over to the Corps will include, includes -- but we will, I'll make sure that we expand into the analysis of the individual alternatives of the two ports, and expand -- you know, we'll take into account your comments, and I'll make sure that that section of the analysis of each port is expanded to address your concerns there.

So it will be done.

It's there, but I will make sure that it's expanded to consider the whole issues you're bringing up.

MS. YOSHIOKA:

Okay. And one of the concerns for developing two sites is not necessarily the immediately anticipated improvements, which are included in the EIS.

But things like value-added or cumulative impacts expected when you develop two sites, in relatively close proximity, but, you know, there are some very valuable wetlands -- we pointed that out in our letter before -- between those two sites.

Are there going to be any measures to prevent those from being impacted in the future? What's going to happen to that area.

I think you can reasonably expect to address some of the cumulative impacts, because you're certainly addressing the cumulative benefits of the project.

MR. QUIÑONES:

And we are. The section on cumulative impacts is very thorough. It goes into the analysis of the cumulative and indirect impacts that the development of whatever the alternative is chosen is going to be.

So you'll see the DIS, you know, we will, you will, you will see that it does address.

Now this project will not have control. This is for another of the regulatory agencies to plan whatever is going to happen between the two ports.

And you had expressed this concern to me before, of the potential development, in the corridor.

You know, we can, we can estimate the impacts, but we cannot control them. That's for the other agencies to do that.

MS. YOSHIOKA:

As far as more specific things, you know, you keep mentioning a 45-foot minimum depth for your navigation channel, and I assume that applies to the turning basin

area as well.

MR. QUIÑONES:

Yes.

MS. YOSHIOKA:

The overall length of these ships exceeds a thousand feet in some case, and their draft, maximum draft sometimes is up to about 47 feet; the current class of post-Panamax vessels.

You know, we would rather you consider going to appropriate depths, rather than try and keep the depths minimal, because ship traffic does cause resuspension of sediments and reduction of water quality in the area.

If the depths are more appropriate, you're going to get less of that.

And so I think that, you know, you're going to need to look again at your depth requirements on your navigation channels, and turning basin areas, what the diameters say that you're going to need in your turning basin areas, you know, and whether the sites are going to meet it.

And just exactly where these are going to lie.

As I understand, Guayanilla essentially has two turning basins that are used. One that's used now for the L&G ship, and the other ones further in the bay for the other ships.

MR. QUIÑONES:

Yeah.

MS. YOSHIOKA:

And Ponce has one turning basin area which will be eliminated by the new development; it will have to be moved off into another part of the bay.

So, you know, I think all these things need to be plotted, you know, on a chart so that we know where the impacts are occurring, and what habitats lie in those sites.

MR. QUIÑONES:

Yeah, the EIS will include a clear definition of the navigation channels on both harbors.

It will also show the turning basins, and it does show the turning basins.

In terms of this minimum depth, the reason -- and I was the one who corrected that on the first draft -- is that the, the larger vessels that are navigating now, they're about 950, a maximum of about 950 feet long; 924 to 950.

Right now, in China and Europe, they're building vessels that will go up to eleven, 1,000 or 1100 feet deep.

The maximum depth is going to be probably up to about 55 feet.

On the basis of what is proposed in the next few years, the minimum depth is going to have to be 45. But the final depth will be decided by the marine engineers, and whoever develops the port.

And that's why I cannot give you an actual design number for that depth in the EIS.

It will -- the way this project is going to be developed, that will be generated. And then the dredging will be adjusted to whatever the engineering requirements are of the ships coming in there.

MS. YOSHIOKA:

It's going to affect the overall footprint, too, because the deeper you go, the wider that channel's going to be.

In other words, you know, this has to be done on the concept of the project.

MR. QUIÑONES:

Ramón, in Ponce, in Ponce, what do you foresee the maximum is going to be?

MR. TORRES:

At this point, we're looking at a 45-feet, minus 45 feet with a 2-feet overdraft.

And like Ferdinand mentioned, the details of the

final design will come up at a later stage. And has to be defined probably by the marine designers, marine engineers.

MR. QUIÑONES:

Yeah.

MR. TORRES:

To determine the most suitable capacity for both ports.

MR. QUIÑONES:

Beverly, but I don't think the difference, the navigation channels are defined, in the case of Ponce Harbor, by the Corps. That's a federal channel.

The Guayanilla channel, it's well-defined, and the turning basis is comparatively well-defined.

And I don't think in the Ponce area deepening beyond 45 feet is going to have any more impact than going to 45 feet would have.

MS. YOSHIOKA:

Okay. You say there's no channel improvements in Guayanilla. There's a very narrow entrance in Guayanilla; it's only about 300 yards--

MR. QUIÑONES:

Ramón, could you show--

MS. YOSHIOKA:

--wide, at one point because of a submerged shoal, which you won't see on that picture.

MR. QUIÑONES:

Ramón, do we have the navigation chart? No, Guayanilla.

Yeah.

MS. YOSHIOKA:

Outside further. Yeah.

MR. QUIÑONES:

Yeah, we looked at that concern, in the EIS, and actually Joe did a physical model where we took the largest and wider navigation post-Panamax vessel and the data from the navigation chart shows that there's not going to be any need to dredge in that, in that shallow or "bajo" as we call it in spanish.

So--

MR. SERVIDIO:

I guess, from the Coast Guard's standpoint, we have some navigation safety issues.

I guess one of them would be -- I noted that you did traffic studies, but I saw nothing about a marine traffic study, which is what would the impacts be on up to 80 vessels per month going in on the present traffic, and the distribution of the present traffic, which is basically --

you know, the vessels come in early in the morning, when the winds are low; and they depart later in the afternoon, when the winds are low.

What's the impact of having container operations on that traffic distribution?

And I guess another concern would be the risk analysis, whether a risk analysis was done with the present conditions, whether a risk analysis was done with some sort of a vessel traffic management plan in place. And whether there was a risk analysis done with some sort of channel improvements made, which would be specifically widening the channel from the 900 feet to something a little bit wider, recognizing the wind conditions that exist down in Guayanilla, especially.

I guess another concern would just be, what would be the economic impacts, now that we have a different reality of port safety and port security in mind?

There will be no traffic wall. An N.L.G. vessel is conducting cargo operations. And how would that affect this plan?

There are a number of vessels that have been designated to be carrying cargos of a particular hazard. And there are different security measures in place for those transits.

And would there possibly be impacts as a result of these traffic restrictions that might be in place?

MR. QUIÑONES:

I think -- I'm going to ask Joe to reply to these comments, because he addressed that in the EIS draft. I know them, but he knows them in more detail.

MR. GONZALEZ:

You mentioned just a second ago that there's not supposed to be any traffic at all while the L.G.N. is unloading? Or there's a restriction of a certain distance from the ship?

MR. SERVIDIO:

(Off mic, inaudible.)

MR. GONZALEZ:

Ahhh!

MR. SERVIDIO:

Ever since September 11th...

So I guess what I'm saying is, the situation has changed a little bit since September 11th, and as such there are going to be some (off mic, inaudible) that need to be considered.

MR. GONZALEZ:

I would expect, you know, that the Coast Guard would take some sort of, that type of measure, after September

11th.

MR. SERVIDIO:

(Off mic, inaudible.) But there are some vessels that (off mic, inaudible.) So there's things you need to look at as far as the impacts of vessel traffic in the port. And, you know, the traffic studies are great, but we do need to do a somewhat more detailed vessel traffic study plan.

And that also does have some impacts in Ponce, which has L.P.G. going into Ponce, along with explosives.

MR. QUIÑONES:

Well, I think that the DIS addresses most of those issues. However, we have to be careful that we differentiate between -- you know, the objective of the environmental impact statement is to analyze the potential environmental impacts, but not operational issues.

But we will address the issues you are bringing out. Yeah, but it's important, and we're going to, we're going to--

MR. SERVIDIO:

(Off mic, inaudible.)

MR. GONZALEZ:

Yeah, we addressed those.

And Edwin has a question there.

MR. MUÑIZ:

We need to address alternative issues. I think we want to finish alternative, and get a consensus of what alternatives should be included or not.

And then jump into the different issues regarding the alternative that we agreed to.

MR. HALL:

Yeah.

But what -- I mean, these are valid points, and they're points about marine safety really in any facility. And I think they're good.

I mean, one way of structuring this would be, we've taken a look at the project purpose.

And I think we all understand the project purpose.

We then saw earlier today a map of the entire, the entire island of Puerto Rico, and there were what?--15, roughly 15 alternative locations.

And what I, as part of our, you know, the scoping process for an EIS, we need to take a look at the -- I mentioned, in my initial remarks, to take a look at the really big picture of what happens if there is a no-action alternative.

That is, that this, that whatever cargoes might go into Puerto Rico, go someplace else, from a basin

perspective.

And I think that at least we're on record as saying something needs to be included in the EIS about that.

Then, if you're looking at Puerto Rico alternatives themselves, I mean, there is an array of alternatives.

Marine safety is going to be a concern with any one of those, obviously. And I was just wondering if we could go from the broad scale, to maybe, to maybe taking a look -- whoops! The map just disappeared -- but seeing if there's, seeing if there's something, if the, whatever it was, I guess it was a Corps of Engineers recon study, or something like that, recon, if that recon study captured, captured the available alternatives within Puerto Rico's, within the Commonwealth, and then see if there was any consensus of the group in terms of trying to, again, get at the scoping issue.

You know, what really needs to be analyzed.

If all of those alternatives in the recon study, if we could, if we could narrow the alternatives, for some of them having a more detailed study, or a more detailed information than others, clearly, clearly AFI is proposing, and will be proposing, some mixture of facilities at Ponce and Guayanilla.

And that's fine.

And those may be the two alternatives, in various combinations, whether alone, or in combination; that is either Ponce alone, either Guayanilla alone, or Ponce and Guayanilla in some combination, that clearly need to get a very detailed analysis in the EIS.

But are there other, are there other geographic alternatives, based on the Corps, the Corps recon study that we need to, we either need to say, yeah, we need to know a little bit more about that.

Like San Juan Harbor, I mean, I don't mean to be jumping in here, but there are a number of alternative locations, and I think it would be helpful, both for the Corps of Engineers and for the Commonwealth, and maybe for all of us, to see if we could -- We're talking a bookend of no action. We're talking about -- I said, absurdly, a book end of let's say 100-foot depth channels. No, I'm just kidding, I'm just kidding there.

But let's say, let's say Panamax.

No, a post-Panamax, which is what?--40, 55. Okay, 55. Of the alternative locations in Puerto Rico, can we agree that there is a subset of everything that was in the feasibility or the recon study that need much more detailed analysis in the EIS?

I think we ought to -- Couldn't we agree to that?

Okay.

So I was wondering if we could go -- I mean, I'm sorry -- I was wondering if we could go from the general, if we can get back that map.

(A short pause is taken.)

MR. HALL:

What I was trying to do is go from, is go from this array of potential alternatives, however many there are, 15, or 16, or something like that, to simply a handful, or maybe only 2 or 3. I don't know. So that the EIS probably, in its alternatives analysis, is going to have to consider all these facilities, but not consider them to the same level of detail.

And so, and so is there some way we can narrow the number of alternative locations that would get much more detailed analysis than every one of those 15 alternatives?

MR. QUIÑONES:

Yes, and it does. We have the map on that screen. I'm copying the individual charts to bring them into this other computer, so we can look at both at the same time. We can look at this analysis of the individual alternatives on impacts, while we look at the map on the other side so the -- just give us a second here, and then we'll bring that up here into this computer.

MR. HALL:

Okay.

MR. QUIÑONES:

But, while they do that, let me explain that the draft of the EIS that we have prepared so far does include this analysis from macro to small, where we go and look at the no-action alternative first; then we look at the universe of alternatives that are on the map, that were fundamentally generated from the Corps reconnaissance.

And then from there we focus on the ones with the more potential for being practical solutions, until we come down to the three that were identified in the study by Frankel.

And then from there we go into the detailed analysis of the individual three ports, and then focus into Ponce and Guayanilla.

So, we go through that process on a step by step basis.

MR. HALL:

Okay, and you have the graphics to go with that?

MR. QUIÑONES:

We have, we have, with this chart, we have, for each one of these ports, or these potential ports, a graphic that shows advantages and disadvantages.

MR. HALL:

Okay.

MR. QUIÑONES:

And we're going to bring that--

MR. HALL:

Great.

Does everybody agree that this is the way we should go? I mean, that we want to look at all 15 or 16. And some of them simply won't come even close to meeting any project, the project purpose.

So, although they're interesting, they may not need the same level of analysis, we would all agree.

Is that a reasonable thing to do? Okay.

MR. QUIÑONES:

Angel, give me the first one here.

So this is just an introduction to what we just described, that following the Corps procedures, we did do that screening analysis.

Go ahead.

So we compared and then possibly eliminated the sites that don't meet the essential criteria, and, you know, the criteria, it's not only in terms of the practical developments of the project there, but also on the

potential impacts.

So a total of 15 sites were evaluated. And we screened what we called general desirable characteristics.

And this was a matrix type of analysis, where we identified these criteria, and some of them, you know, that they would have, some of these ports are open, open-ocean ports, particularly in the Atlantic coast of Puerto Rico, where you have frequent swells that essentially impede loading and unloading, and even berthing of the vessels.

So that's an important criteria.

You need the waterways systems, where you can have a navigation canal that is safe, and it allows the ships to come in.

Dredging and maintenance, we have some harbors in Puerto Rico that technically could be sites, but they have an inflow of some of the principal rivers that discharge huge amounts of sediment.

And then they turn into a maintenance nightmare, where we would have to dredge continuously.

Then, of course, the success of the port, transshipment port needs nearby land to be able to be successful.

So if you set these loading and unloading facilities

distant from the port, the economics are no longer there.

So there is a, there is a breaking point where if you go too far, it's no good.

The available -- we tried to minimize locating this where you have very sensitive environmental areas, natural reserves, federal reserves or sites, where we have a large important eco system. For example, the Piñones forest would not be a place.

You need good roads, and, of course, you don't want to be in flood zones.

So, we looked at the environmental considerations, sedimentation, the wetlands, the Matilde sector, for example, would include filling of sizeable amounts of wetlands, so that's one of the main reasons that area was discarded eventually.

Excavation, we have areas, for example, you may be looking at one of those basins where there is not an authorized disposal area, and we would have to use one of the existing ones for the materials, or look at potential uplands sites.

And endangered species present. Okay.

Are we close to impacting archeological directly or indirectly resources? And recreational sites?

So these are the sites that we evaluated.

The Yabucoa Harbor, which it's also an ongoing project to dredge it.

Las Marías. This is in the Guayama area.

Jobos Bay. Also -- Jobos Bay.

So you go ahead and point them.

Yabucoa, for the people that don't know where they are.

And then the Las Marías Harbor, which is part of the petrochemical complex in that zone.

The Jobos Bay, in Aguirre, where the old sugar mill was, and the Aguirre power plant is located.

The Ponce Harbor, of course.

The Matilde Harbor that I have mentioned several times.

The Guayanilla Bay.

The Guánica Bay, down below.

The Mayagüez Harbor, which is an active port also.

The Aguadilla Harbor.

And the Arecibo Harbor, which is also a smaller active port.

The Manatí area, this is the area where many years ago also a deep port was proposed, in the Tortuguero/Manatí area.

And the Boca Vieja Bay. This is the mouth of Río

Bayamón in Boca Vieja, Palo Seco, yeah, in the Palo Seco area.

And then we have the San Juan Harbor, the active port.

And then, finally, the Fajardo Harbor to the east.

So these are the sites that were considered in this analysis.

So we looked at each one of them.

The Yabucoa Harbor is very well-known to the Corps. A study has been conducted there to dredge that harbor. It's a semiartificial harbor that was cut out of the inland, when the Yabucoa Sun Oil facility was built there.

And it's close to Humacao.

And the main limitation there is that the existing port, and the facilities would not meet the requirements for deep navigation vessels.

And although there are no known environmental sensitive areas there, there is knowledge of some turtles nesting in the vicinity.

So, the main reason here is this harbor would not have the capabilities of handling this kind of vessels.

Yabucoa also, those of us that live here, many of the hurricanes come inland right through Yabucoa. It's been hit many times, historical. It's relatively isolated,

although right now there is a construction of Highway 53 being planned to go through there, and eventually will connect to the eastern part of the island.

And most of that valley, it's flooded by the Río Guayanés.

This river is not -- there is no flood control projects in that valley, so we have constant floods there frequently that would require sizeable filling in Zone 2, because in Zone 1 we would not be able to build anything.

And then, you know, we would have the normal maintenance.

I don't know when this was dredged before. I don't know if Osvaldo can comment. This was dredged before when?--About 20 years ago?

MR. COLLAZO:

I guess about 10 years ago, yes.

MR. QUIÑONES:

Ten years? Yeah. By the Corps?

MR. COLLAZO:

By the port.

MR. QUIÑONES:

Oh, by the Ports Authority.

MR. COLLAZO:

Yes.

MR. QUIÑONES:

Of Puerto Rico, okay.

So, Las Mareas Harbor, this is a small, man-made harbor that is just too small for a transshipment port.

So those of you that have gone there to kayak know that this area is just too small.

And then we have some very unique natural resources nearby. The Aguirre forest, and the Jobos National Historic project are located there, with a very large number of mangrove islands in that vicinity that could be affected by any project.

Coral reefs, sea grasses, all kinds of biological activity there.

And the port is shallow, and narrow, and would require sizeable dredging.

The Jobos Bay is kind of adjoining there. That's also a very small bay that is essentially close to the other bay nearby.

And conflicting land uses, it's part of a special Jobos planning area designated for long-term protection in that area.

Now the Ponce Harbor has an active port; it has many of the capabilities for a deep-draft port. These are the areas that the only major activity that would be required

there would be dredging to be able to accommodate the large vessels and extension of the port.

It has -- there is a designated ocean disposal site for any dredging that was used previously, and we would have to reactivate the management plan to be able to dredge.

And there's no endangered species there, so there is many pluses there.

Now the Río Matilde, we have discussed several times. I don't know how many more details you want me to tell you.

There is also the issue that the ocean outflow, from the Ponce primary regional wastewater treatment plant, is in that vicinity. And that presents some other infrastructure problems.

Mangroves on the coast, and storm surges. It's an open bay that would be impacted by the storm surge in that area.

The Guayanilla Harbor is the other component that -- the main issue in Guayanilla is that there is no immediate space adjoining the area proposed for the pier to store the containers. Where in comparisons to Ponce. Ponce has those areas nearby.

In Guayanilla, that's why fill would be required

because the economics of the port would be, we would have to be very efficient to be able to move those containers far away, into perhaps the Union Carbide parcel, and be economical there.

The next one.

The issue that know Beverly's going to comment about that, there is environmental sensitive areas within the site specific, but we know that nearby, we know about Punta Berraco, and we know about the wetlands on the other side of the Guayanilla Harbor.

And that those, we know that the additional traffic could potentially impact those, but it can be managed.

Guayanilla, like Ponce, has been an active port for many years, and of course we have the manatee issue in Guayanilla.

The Guánica Bay, which is also a very fine port. It was used for many years for the bringing in and taking out sugar cane products.

It has, it would require additional dredging. The navigation channel is narrow, and the bay is shallow.

It's within the southwest special planning area of the Planning Board, and it's surrounded on both sides by the national protected Guánica State Forest.

There's some endangered species there too, as in many

other places.

And there is some of the areas that could be used for value-added activities nearby, are partially compromised now for some residential tourism development that the City of Guánica has proposed to the Planning Board.

The Mayagüez Harbor, it requires dredging. That harbor has many water quality problems by itself, resulting from the industrial activities.

It receives waste waters from the Mayagüez regional outflow.

There is no wetlands issue. The port is very crowded. There is not a lot of space there for value-added activities.

The Aguadilla, the main limitation of Aguadilla, it's kind of open, quite open to the active winds and waves that come there from the northeast and northwest into Puerto Rico. And ships there sometimes have to wait to be able to unload.

Traffic, it's a long way out there, with limited highways, those of you that drive into Aguadilla from Arecibo.

Land conflicts. The area is much closer than the other two harbors, the residential areas. And there's a major recreational facility there.

Arecibo is similar. We looked at their high-wave energy regime. It receives nearby the Río Grande of Arecibo discharges sizeable amounts of sediment.

It would require a major breakwater construction activity, and it's just too small for transshipment vessels.

This is the Manatí area, that I was told you before. This area would require also dredging and construction of a very expensive breakwater.

It's exposed to surf. There is a natural reserve in the area. It's kind of isolated, a little bit away from the expressway. And major road construction would have to be developed.

And there is a natural reserve in the area.

Next one.

Also, there is major beaches, which are principal recreational areas for many of the people in that region nearby.

The Tortuguero, it's also kind of very open to the ocean, with some of the same characteristics as Manatí.

Los Tubos Beach is one of the most popular places in that north coast of the young people, the younger people that go there on the weekends.

So the Boca Vieja, Palo Seco site is next to the

power plant there. It has very similar problems to Manatí and Tortuguero. It has the advantage of being close to San Juan.

It would require a more economical breakwater. And dredging would be required, because it doesn't have the draft to be able to handle the deep vessels.

Okay.

Then San Juan Harbor, the San Juan Harbor, we did a little bit more detailed analysis because it is an active port. It does receive large tourism vessels. And the limitations are mostly physical.

There is -- essentially every square inch of piers in the harbor is being occupied by different activities.

To locate a port of this magnitude in there would require a major relocation of facilities, because there is no space for storage.

The undeveloped lands, south of the Kennedy Avenue, next to the landfill, are wetlands that have been considered for protection by the Corps and the DNER.

Go ahead.

The one advantage is that it's very well-protected from hurricane, and it has a large infrastructure, as a principal port in Puerto Rico. The land is very expensive there.

Fajardo, it has many of the same problems that the smaller shallow harbors we analyzed, and the Corps analyzed.

In addition, there are marine, submarine activities, sea grasses, and coral reefs in the vicinity. And the hurricanes, when they don't come in through Yabucoa, they come in through Fajardo.

It's very congested out there trafficwise.

Go ahead.

And this is the first one?--We came back?

So, this is a conclusion that from all of that screening of all of those sites, then we went into the individual analysis of these three sites, considering in more detail, in the DIS, the advantages and disadvantages of these three sites.

We eliminated Matilde, and then came up with the combination of the two port sites, Guayanilla and Ponce, based on some of the comments that Ramón made, and Héctor made, and the long-term objectives of the project.

Go ahead.

So these sites have several common things, because they're nearby in that area from Guayanilla to Ponce.

Go ahead.

And that, you know, that's the basis of the much more

detailed alternative analysis that we included in the document.

Any comments or questions about this?

Yes...?

MS. CARRUBBA:

The Corps, the Corps document had concluded that while another megaport was necessary, the preliminary stage, rather than what you're kind of hinting at today being the Ponce Harbor, was to make some improvements to the San Juan Bay Harbor.

I noticed that we're not mentioning that all, and I'm wondering, because from the point of view of minimal impact, the alternatives, from an agency's perspective, would be either a no-action alternative, or since that's not so economically beneficial to the island, the development of just one megaport site.

I'm sure that you are aware that in terms of our agency you will need to do the essential fish habitat. I believe you already mentioned that.

We also have some endangered species concerns obviously.

From the standpoint of the EFH, and some other environmental concerns, minimizing environmental impact means also choosing once port site, if it's feasible, and

discussing that as a real alternative.

Part of the reason for that also being that if you're talking about going from Guayanilla to Ponce, regardless of what you're saying in terms of your current plans, your future plans will be some development along that corridor.

And as I'm sure you're aware, much of that corridor is high-quality wetland area.

And also offshore reefs, sea grass beds, etcetera, etcetera.

In addition, in the Guayanilla area, you're talking about filling 110 acres, acres, yes?--of marine area.

That means the loss of habitat for the spread of sea grasses. I know that they are there in patches. They are not a huge area of coverage, but the patches are there, meaning recolonization, and further spread of the grasses is certainly a possibility.

Obviously there is concerns then also of loss of habitat, loss of future habitat for manatees, for turtles, sea turtles, all of which are endangered, all of which like that area.

In addition, in your plans for Guayanilla and part of that filling, I believe, in terms of your pier construction, you are talking about destroying an area called "Cayo Matta," which is an important fishery area.

I'm sure you're aware of.

MR. QUIÑONES:

Yeah, there's--

MS. CARRUBBA:

Fishing like sharks and things like that.

MR. QUIÑONES:

Yes, the plan, the plan, the modified plan in the updated, in the new EIS does not include filling Cayo Matta and its vicinity.

We looked at that carefully, and we have included in the EIS the action that Cayo Matta will not be impacted directly by fill activities.

MS. CARRUBBA

However, it does have to be included in your indirect--

MR. QUIÑONES:

It is included in the analysis of the potential impacts, and firstly it's saying that the fill will not impact Cayo Matta.

And that, you know, that's what we do.

The biological analyses include the communities in the vicinity, and shoreline of Cayo Matta, and also we analyzed what some potential mitigation alternatives for Cayo Matta.

Cayo Matta, as you know, is used also for recreational purposes, by residents of the area, and one of the issues is that some of the vegetation, coastal vegetation in Cayo Matta has been disappearing.

And so the potential there is for some renovation of that through coastal mangroves, or other plants that are amenable to that area.

So we've looked at that carefully, and included that in the EIS draft.

MS. CARRUBBA:

Still going back also to my other point about the Guayanilla to Ponce corridor spread, have you put that into your future analyses, in your EIS, in terms of what sort of corridor development you're hoping for, should this be economically beneficial, should this port be, I guess, a success?

MR. QUIÑONES:

Are you saying developments in the marine environment, between the two ports?

MS. CARRUBBA:

Well, we're not just concerned with sea grasses and coral reefs. We are of course also concerned with any marine wetlands, coastal wetlands that directly are associated with tidal influences and things like that.

There's a lot of mangroves in that corridor.

MR. QUIÑONES:

Well, the most comprehensive alternative to the project does not include any developments in that area, in between Ponce and Guayanilla.

And that's what the project -- it's the description of the project.

If indirectly other activities in the future develop, we inventoried potential projects in that area, and there are none planned at this time.

Ponce doesn't have any plan; Guayanilla and Peñuelas doesn't have any plan.

So we can -- that's the best we can do in terms of projected projects.

The reality of life, you and I know that when you develop a project there is a potential for further development in the future.

And, but this project does not include any other developments there, nor now, nor in the future, in the projected future.

MS. CARRUBBA:

So projected future being how long? I see that in some of these slides today you're talking about 10 years, and yet in some of your other documentation of before, you

were talking about a hoped port life of 30 to 40 years.

So, what do you mean by "future," as opposed to what I might mean by "future"?

MR. QUIÑONES:

What is the port life, meaning that your--

MS. CARRUBBA:

Well, what I'm saying is, if you're actually hoping for this port to be up and running 30 to 40 years in the future, then I think that you need to broaden the scale of your futures analysis to be more than a 10-year period.

MR. QUIÑONES:

No, the 10-year period that Héctor mentioned was the time to capture a substantial part of the transshipment market available.

And Héctor was talking about the potential economic and development, economic benefits that could be captured in 10 years.

You know, you design these ports -- the Ponce Port has been there since when, Ramón?--More than 100 years?

So these are projects that you design for at least 100 years.

I think very few of the ports in Puerto Rico are younger than that.

Perhaps the Yabucoa Port is a younger one that it was

built in the sixties. So it's been there 40 years.

MS. CARRUBBA:

I'm playing devil's advocate a bit.

But my point here is that from the agency perspective what we want to see in your alternatives analysis is also that if you have these two, rather than just one site, it does have potential impacts on more than just right now.

MR. QUIÑONES:

Yeah, the answer is--

MS. CARRUBBA:

And that's my point. That's what we want to see.

MR. QUIÑONES:

Yeah, and it's well-taken.

The answer is the DIS will include individual analysis of the individual ports, Guayanilla and Ponce, as separate alternatives, and then as a combined alternative, as has been proposed on these three pending alternatives.

So we will address your concern.

MS. CARRUBBA:

Okay.

And then just to hog the microphone just for another minute, to go back to what Joe brought up about the Coast Guard, and everybody saying that there were just marine safety issues, actually some of the ship -- Yeah?

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MS. CARRUBBA:

Okay, okay, in that case, I'll turn the microphone over.

MR. HALL:

Just for everybody, I think -- please excuse those of us who are -- well, I can't say this -- I'm not an engineer, but I was going to say "who are engineers, or linear thinkers," is linear thinker okay?

UNIDENTIFIED PERSON:

Yeah.

MR. HALL:

A linear thinker. For those of us who are -- yeah, for those of us who are linear thinkers, it's much easier to start, you know, to start at one end and go to the other, rather than, you know, start at one end, and branch out into seven different locations, and then hope you come back to the end point.

And so what we've done is we've taken a look at the project purpose.

We've talked about an array of alternatives that would go from no action to -- I'm sorry, whatever I described as the other end of the spectrum -- to the

absurdity of 100 -- I'm just -- I don't expect us to see this in the EIS -- of a 100-foot deep port, or two ports.

What we've done now is we've gone around, we've gone around the island. We've taken a look at a number of geographical locations.

I think, based on the overall project purpose, there are a number of those locations that pretty much fall out.

I mean, they may deserve cursory consideration, but it seems to me, from what I heard, could we generally, could we generally agree that the alternatives that need the most careful scrutiny are what I heard, what I heard on the north shore, what I heard on the north shore was San Juan Harbor; what I heard on the south shore, basically was a geographic area that ranged roughly from Ponce to Guayanilla.

Is that, does that seem like a reasonable sort of subset of the 15 alternatives that we should -- So what I'm trying to do is go, you know, from the big picture, of what the overall project purpose is, to what are all of the possible alternatives.

Then a little bit more detail on limiting the alternatives.

And then once we, once we just have general agreement on 3 to 5 to 6, you know, whatever, because part of the

alternatives on the south shore I think are Ponce, by itself; Guayanilla by itself; and both facilities combined.

So those are three alternatives right there. Okay?

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

I beg your pardon?

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

Well, and no action, that's the fourth.

And then, I don't know, do we want to throw in San Juan, just to...No, no, okay.

We're hearing from the Coast Guard. They have enough problems, they have enough problems in San Juan Harbor already; they don't want any more traffic there.

No, is that -- No, I don't mean to be putting words in your mouth.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

Okay. Does that seem reasonable, those reasonable alternatives to consider in the NEPA?

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

In some combination.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

Can we -- can we -- Here's -- I would make a suggestion. I'm sorry to sort of... But, but we heard from Ferdinand before we took our break for our lunch snacks.

You went through, you went through a whole series of sort of what I would call issue areas.

I'm wondering if it would be best to go to step -- to once again -- you had those issue areas, and you tried to have issues under those issue areas.

I wonder if it would be useful to go back to your slides of those issue areas -- I mean, because we've talked about alternatives, and we're talking about trying to narrow the geographic range of alternatives, and we have sort of general conceptual agreement about narrowing. Okay?

So now, if we could go to the slides that you used,

maybe this morning, I don't, I'm sorry, I don't mean to be screwing with your presentation, but--

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

So that we could -- so that what we could do is go through those issue areas. You went through them, you briefed us on, you briefed us on what, on what, on what you all are considering.

And let's just get, maybe let's just get the Coast Guard and the resource agency reactions to those -- Is that fair?

Am I screwing...?

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. QUIÑONES:

John, are you talking about the presentation of the -- No, you're talking about this one, not the one that I spoke about this morning?

MR. HALL:

The studies.

MS. SILANDER:

He's talking about the studies.

MR. QUIÑONES:

Okay, yeah, go to the studies, yeah.

MS. SILANDER:

Ferdinand--

MR. QUIÑONES:

Yes.

MS. SILANDER:

Just to make a comment. With respect to endangered species, and there's a lot to say about them, but we'll probably talk about them later, but just one comment with respect to the alternatives is that although we've seen alternatives that you've presented, there are things in there about endangered species that, at least based on the information that we have, are not necessarily correct.

For example, in Ponce there are no endangered species. And in other areas there are comments about endangered species that are not necessarily correct.

MR. QUIÑONES:

Well--

MS. SILANDER:

Not that that makes a difference necessarily in the site selection, but it would be a good idea, I think, to--

MR. QUIÑONES:

Yeah, let me clarify--

MS. SILANDER:

--to include the correct information.

MR. QUIÑONES:

And maybe I should have spelled it better.

In the areas where development in Ponce would occur, in the value-added areas, the biological survey that we conducted, they did not observe or identify any endangered species at that time, or habitats.

You know, of course you can have a Puerto Rican hawk fly through there at that time.

MS. SILANDER:

Well, in this particular case--

MR. QUIÑONES:

Yeah.

MS. SILANDER:

--I was referring to the manatee. I mean, there are manatees in the Ponce--

MR. QUIÑONES:

Yeah, there are man--we know that manatees come into the Ponce, in all of that area, because they swim on that coast, but--

MS. SILANDER:

It's just a general comment--

MR. QUIÑONES:

Yeah, okay. We appreciate that, so we'll look at

that carefully and make--

MS. SILANDER:

--alternatives.

MR. QUIÑONES:

So that we'll address that. Thanks, Susan.

MS. YOSHIOKA:

Yeah, Ferdinand, as far as before we dispense with the overall thing, too, and I don't disagree at all with the choices that were selected, I just want to make -- if you want to make it more complete, there's some other factors that might be added; one of them being coastal barriers.

A number of these sites have coastal barriers that would be restrictive on the plans that you initially had for possible development.

And to name a few, Tortuguero, Yabucoa, Jobos Bay; there's several that have some coastal barriers issues.

MR. QUIÑONES:

Yeah, I think that we addressed that indirectly when we spoke about dredging, but I know what you mean, and we'll expand that to include the fact that you have coastal barriers that would have to be broken or--

MS. YOSHIOKA:

I can send you that information so you can include

it.

MR. QUIÑONES:

Please, yeah, we will appreciate that.

Angel...

Do you want to go into the studies? Was that, John...?

MR. HALL:

Because what you got is, you got into these areas here.

MR. QUIÑONES:

Yes, right, right.

MR. HALL:

And we can step through each one of these areas--

MR. QUIÑONES:

We can go into the traffic first.

MR. HALL:

--to see, to see if there are additional issues. I mean, I don't remember which the first one was. Was it traffic planning?

MR. QUIÑONES:

Yeah, yeah, it was traffic.

MR. HALL:

Okay.

MR. QUIÑONES:

Show me the...Yeah, right there.

Here's traffic in Ponce. The Ponce Harbor, this is a very accessible port.

This is the Ponce bypass, and you can see that you have a first-class intersection type.

MR. HALL:

Could you go to the one that has the bullets?

MR. QUIÑONES:

Go to the bullets.

MR. HALL:

Here we go.

MR. QUIÑONES:

Here we go.

MR. HALL:

Okay.

MR. QUIÑONES:

Okay.

Now, show me Ponce. Ponce. Yeah.

So, in terms of traffic, you can see that Ponce has a very easy kind of doubleaccess to the port, with its -- this is a four-lane all the way, Ramón?

MR. AMADOR:

Four-lane.

MR. QUIÑONES:

Yeah. With significant improvements, and very accessible. No problems there.

This intersection is relatively new, with ample capacity to handle essentially any traffic there.

The traffic study didn't show any need for major improvements here.

Some minor improvements in this area, but nothing major.

Now, in Guayanilla, in Guayanilla, we do have a problem -- not a problem -- but an issue that the access, there is the same highway from Ponce comes here, and there's two roads that go into the port.

One of them is the old Tallaboa Road that goes between Union Carbide and CORCO. And goes all the way down through here.

And, I mean, and this is kind of congested.

So one possibility would be that this, this access would have to be expanded, and developed along these lines, with a connector to the interstate here, I mean, to the expressway here.

And then some improvements to this other access, and this access could handle some of the traffic.

But it does have those limitations.

MR. MUÑIZ:

A question that I would have is, you know, what is going to be the traffic impact that the megaport, or the super port, or the transshipment port is going to have between traffic between Guayanilla and Ponce that is not existing now?

MR. QUIÑONES:

Yeah.

MR. MUÑIZ:

And also, how is Guayanilla and Ponce, or either one or both, going to interact with San Juan Port, and what kind of traffic--

MR. QUIÑONES:

Yeah.

MR. MUÑIZ:

--impacts are expected?

And I'm not looking for an answer. It's something that would have to be thought, looked at, and addressed in the EIS.

MR. QUIÑONES:

And we do. We've looked at it.

The traffic issues come from three sources, or three areas.

Firstly, during construction, you're going to have a sizeable labor force at this port, and at the other port.

So you're going to have a number of additional temporary trips by the labor force, construction trucks, and those kinds of vehicles that will indeed impact those accesses.

The infrastructure group, there is a committee that is addressing infrastructure issues, and that committee will, it's preparing a report, which we're going to synthesize in the EIS, about the potential improvements so that if, when this happens, if Guayanilla is part of the project, then programming of those improvements are done on time, or as closely as possible, to minimize those impacts from the construction activities.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. QUIÑONES:

Yeah, I was going to address that next.

The second issue is the -- once operations begin, then you have two sources of traffic.

One of them is the number of employees at the port. Without the value-added activities, the number of employees is relatively small. We're talking about 300 to 550 employees, depending on the stage of the operation of the port.

And then, of course, the value-added activities will

generate some traffic as things develop.

And then there is the other question you asked, about the impact of the traffic towards Ponce and San Juan.

You have to keep in mind that the objective of the port is to capture as much as possible of the Caribbean container traffic, but only a certain percent of that will be related to traffic that is internal to Puerto Rico.

And that's about what?

UNIDENTIFIED PERSON:

About 10 to 15 percent.

MR. QUIÑONES:

Ten to 15 percent of the total containers, 15, 15 percent of the total containers that would come are internal traffic.

That means that some of those containers would be moved by tractors, trucks, from the ports, Ponce into, going out towards the west, towards Aguadilla, or towards San Juan on the interstate.

The traffic analysis indicates that with that 15 percent, in the Ponce site of the project, there would not be any impacts of that traffic.

In the Guayanilla site there would have to be improvements, as I indicated here, to be able to handle that traffic.

Yes...?

UNIDENTIFIED PERSON:

Do you foresee displacement of container operations from San Juan to the south coast, which would be then an increase of your 10 or 15 percent?

MR. JIMENEZ:

The project has been designed -- I mean, this port will not compete with -- what that means is there not expected to be a transfer, or a movement from one port to the other.

Maybe it can be in the long run, I don't know, but it's going to be minor, I mean.

Because the idea, the scope is different.

MR. QUIÑONES:

You see, you have to keep in mind that the transshipment is really unloading and loading. And then there's the import/export activity that is a value-added activity, and that's where you generate inland traffic, and not on the transshipment activity.

That's why it's only 15 percent.

Yes, Susan...?

MS. SILANDER:

From a fish and wildlife standpoint, we'd like you to

anticipate any improvements to roads that might impact any endangered species habitat, and wildlife habitat.

For example, the road that goes to Playa Guayanilla, Road No. 2, any widening of those roads that may impact on--

MR. QUIÑONES:

No.

MS. SILANDER:

--adjacent forested habitats, or widening of roads, for example, coming out of Ponce that might impact any beaches that are adjacent to those roads?

MR. QUIÑONES:

No. The only recommendations from the traffic study, as I said, was that we would have to improve this access here, and possibly -- that's where the fill of the 10 acres of wetland would occur.

MS. SILANDER:

I see.

MR. QUIÑONES:

And to be able to improve this road that goes in the vicinity of Union Carbide. And then some improvements at this intersection.

MS. SILANDER:

And nothing, nothing on the road that goes in

between--

MR. QUIÑONES:

Nothing on Highway 2.

MS. SILANDER:

--into Highway 2, or--

MR. QUIÑONES:

No, no.

MS. SILANDER:

Just the intersection; that's all.

MR. QUIÑONES:

Well, yeah, there are actually four intersections that are included in the analysis; actually six, because you have to go to the other ends for the traffic mall.

So these are described, these improvements are described in the traffic study.

MR. MUÑIZ:

(Off mic, start of statement inaudible.) ...that probably have not been address at -- and I think they're very important -- that probably we need to, you know, if we need to talk about those again, or add additional information.

If possible, from the Coast Guard, I would like to know specifically what kind of studies you would expect so

we can...

MR. SERVIDIO:

Just a study that shows what's presently going in there, what time vessels are going in, what time they're leaving, and what the increase in vessel traffic would be, as a result of having the post-Panamax vessels and the feeder vessels, and what their schedules would be on that.

MR. QUIÑONES:

That's going to be tough on the schedules, because this is prospective.

MR. SERVIDIO:

But even a perspective of what you--

MR. QUIÑONES:

Yeah, perspective.

MR. SERVIDIO:

Because there's certain vessels coming in certain times of the day, and you would have an idea of what you would expect the container vessels.

You know, they're going to be in for one-quarter of the time to, you know, one-fifth of the time of what a tanker is in.

MR. QUIÑONES:

Yeah.

MR. SERVIDIO:

And what the traffic patterns would be, based upon that.

And the environmental conditions. Because there's certain times of the day where large sail area vessels just can't make it through a 900-foot channel, due to the risk that's there.

So based upon that, is there going to be bunching, is there going to be delays, is there going to be safety impacts as a result of that?

MR. JIMENEZ:

Subject to verification, but just as some information, following a quest that I made (off mic, partially inaudible).

MR. QUIÑONES:

A couple of comments.

The draft EIS includes the schedules of ships that we have from the historical data, that Ponce has provided to us, and the Guayanilla data.

So that is included there. So we know what the current, the actual schedules and frequency and times of traffic are.

We have, based on Frankel's study, we have made projections that in 10 years we would have the equivalent of 2.8 large vessels per day arriving into the port.

So that's a kind of analysis and schedule that I can make in the DIS, prospectively, but I cannot speak about times of arrivals, because that's going to be dictated by the maritime companies.

MR. SERVIDIO:

Right. But if you take the present, you know, average of 3 vessels per day, and you put on another 3 vessels per day, and you know that during certain hours of the day you're not going to navigate a 900-foot channel, due to the wind conditions, and you know that container ships can't sit idly, because it's economically unfeasible, how are all these pieces going to fit together? Because it will impact safety.

MR. QUIÑONES:

Yeah. I understand your point, and we'll address in the--

MR. TORRES:

Just a comment. Because (off mic, and partially inaudible.) ...and what we at the Port of Ponce we're looking into is, is to model the marine traffic that we're going to foresee at the Ponce, Ponce Port, and we have been in contact with the Star Center in Florida, just to model our existing facilities, and then try to statistically project whatever traffic we might encounter

in the future.

So perhaps that could be the way to go--

MR. QUIÑONES:

Yeah.

MR. TORRES:

--and present that in the EIS.

MR. QUIÑONES:

Well, is that an issue that the Corps feels that we have to address as a potential environmental impact in that detail level?

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. QUIÑONES:

Yeah, no, I'm not talking about navigational safety, per so. I'm talking about the prospective schedule of vessels.

We can model that, like Ramón says on the safety issues, we understand. Safety issues, yeah. So we'll take care of that, yeah.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. QUIÑONES:

Yeah, we'll look into that. So your point is well

taken, we've made a note, and we'll make sure that we address that point.

Yes, Marelisa.

MS. RIVERA:

This is Marelisa Rivera from Fish & Wildlife Service.

But that issue that he's bringing will also help you in the analysis of the manatee.

MR. QUIÑONES:

Yes, we understand--

MS. RIVERA:

Because that's the same question that we're going to be asking for the manatees, and--

MR. QUIÑONES:

And I think Eco Eléctrica went through that exercise. Joe, isn't that so, in their documents?

MR. SERVIDIO:

(Starts off mic, partly inaudible.) ...two vessels a month as opposed to three per day.

So it's a different scale on what's really being proposed.

MR. QUIÑONES:

Yeah. So we'll look into that. We appreciate that comment.

MS. SILANDER:

Also, from the agency point of view that is also an environmental issue, don't forget that if traffic is such a concern that you have to widen the channel in Guayanilla, you will be affecting some corals in that area.

So, yes, it can also be an environmental issue.

Also, if you have a lot of vessels sitting there, that can't go out because of the wind conditions, or something, that has the potential to have some more damage to bottom. There might be some additional scraping, or something else that could take place, that could have an environmental effects, in terms of sediment resuspensions, and things of that nature.

So, yes, it is also feasible that there could be some environmental impacts that, because of these safety issues.

And the same thing in Ponce. There are a lot of, a lot of coral reefs in some of those areas, of course a lot of them are closer to the Río Matilde area, but depending on how great a traffic volume you have, and how much those ships are sitting around, you know, you've got bilge pumps, you've got discharges that the ships might make.

You've also got potentials for groundings, potential

for oil spills.

I mean, the safety issues can also be environmental issues. So--

MR. QUIÑONES:

Yeah, we understand that and there's no plans in the proposal of any of the two ports, in the Ponce to wide the navigation canal. And there is no proposal in the project to dredge the navigation canal at Guayanilla, because it's wide enough and deep enough to handle the post-Panamax vessels, so, we understand that.

MS. SILANDER:

I understand that, but what the Coast Guard is saying is that perhaps it's too narrow in Guayanilla, because of some safety concerns, with the winds, and the size of these vessels.

MR. QUIÑONES:

Yeah.

MS. SILANDER:

That eventually you may need to widen that channel, or you're going to just have ships going one way or the other, and waiting in between. So...

MR. QUIÑONES:

We'll look into that, but the navigation charts show us that the channel is wide enough to handle the largest

vessels without any problems.

And the turning basin is also large enough. So, but we'll look into that, too.

Yeah, uh-huh...?

UNIDENTIFIED PERSON:

Based on the traffic study, increase the area, you might want to consider an outside anchorage area...

MR. QUIÑONES:

You're talking about the marine traffic, yeah.

MS. YOSHIOKA:

You know, Ferdinand, I think there is some concern, because that actually is a pretty narrow entrance. We've already had groundings on reefs off of Guayanilla.

I noticed in the Corps evaluation, I think it was, I'm not sure it was that or the previous preliminary EIS that was withdrawn, there was an evaluation overall of north and south coast winds and wind regimes.

And the south coast wind regimes were underestimated. It was like 5 to 10 knots. And the best data I know on this is from Peter Glynn's work, and Magueyes Island. It's long-term data on wind, wind directions, and wind velocities.

You're dealing with -- when the winds, when the southeast winds come up, you're dealing with 20 to 25 knot

winds on a regular basis.

So I think, you know, this is something you're going to have to consider if there is a potential for needing some anchorage areas, because of ship traffic congestion in the channel in and out.

You know, we would prefer to have a designated area for anchorage, that's free of coral reefs. And that's something you're going to have to look for.

So, you know, these are potential impacts that the project should consider, either in Ponce or Guayanilla.

MR. QUIÑONES:

No, Ponce--

MS. YOSHIOKA:

In Guayanilla, there is a very narrow channel there--

MR. QUIÑONES:

Ponce has--

MS. YOSHIOKA:

--and I've gotta tell you there's a shoal that's a problem.

MR. QUIÑONES:

Huh? Ponce has an anchorage area, so we don't need to -- we will address that. We will identify it, but Ponce has an anchorage area.

I don't know, Joe, do you know if Guayanilla has a

designated anchorage area outside--

MR. SERVIDIO:

No outside anchorage.

MR. QUIÑONES:

--for vessels?

MR. SERVIDIO:

Just inside.

MR. QUIÑONES:

No? Just inside. Okay.

MR. SERVIDIO:

And it's also the turning basin.

So if vessels are turning, they can't be anchored. And you have two different turning basins that are also anchorage. So...

MR. QUIÑONES:

Okay.

MR. SERVIDIO:

And I guess -- it's just a minor point, but some of the traffic issues do impact the environmental issues, because vessels, you're going to have to worry about the ballast discharges that go with them. The garbage discharges. The sludge. And the other types of discharges that go along with an increase in traffic in an area.

MR. QUIÑONES:

And the other issues about solid wastes, and sludge, we address adequately on the EIS. We obtained data about how the typical solid waste generation, and the arrangements for disposal at the Ponce landfill that are in effect right now for vessels disposal.

So we address that.

MS. SILANDER:

And again, from the endangered species standpoint, the manatee that you mentioned is found in the Guayanilla bay, and it's one of the most important areas in Puerto Rico--

MR. QUIÑONES:

Yes.

MS. YOSHIOKA:

--for the manatee.

It's known to travel through the area, and bottom-rest in the area. There's calves in the area. They feed in the area.

So the increase in traffic is going to be very important for you to evaluate the impacts of that increase in traffic.

Not only from the ships, but any associated--

MR. QUIÑONES:

Yeah, I--

MS. YOSHIOKA:

--any associated vessels.

MR. QUIÑONES:

Yeah, we recognized that. We made a detailed analysis of the manatee issues in Guayanilla Bay. And we are convinced that the protocol that is in effect by Eco Eléctrica can be modified to manage the increased traffic.

MS. YOSHIOKA:

Well, it's important that you, it's important that you have a good handle on what the increase is going to be.

MR. QUIÑONES:

Yes.

MS. YOSHIOKA:

And what the potentials -- and this is something I'll probably mention again when we talk more specifically about endangered species -- but what the impacts of that increase in traffic could be, not only directly from hitting manatees, but also if from any potential for harassment and disturbance to those manatees, from such a big increase--

MR. QUIÑONES:

Yeah.

MS. YOSHIOKA:

--in traffic.

MR. QUIÑONES:

John, you wanted to...?

MR. HALL:

No, I just -- I think this is good, because, Susan, what I heard you, what I heard you asking a question about was sort of the aquatic flora and fauna issue up there.

And yet you related it back, basically, understandably, to traffic.

I mean, the more, the more large vessel traffic with manatees in the area, the greater risk of hits and things like that.

And so what I was wondering is, what I was trying to do was to act like the, you know, act like the -- what's it called? -- and so what we've heard, just in summary, I think what we've heard is traffic studies, or traffic concerns both from the land side and the water side. The possibility of need for some road improvements, not so much in, not so much in Ponce, but in Guayanilla.

In terms of the traffic, we've heard from the, we've heard from the Coast Guard that their concerned about going from 1 or 2 vessels a month, to 3 to 5 vessels a day, a day?--3 vessels a day.

So that's a, you know, that's a, there's a several order of magnitude change in the vessel, in the vessel use pattern, which has both safety, safety concerns and also natural resource concerns.

I mean, again, I'm giving you some feedback on what I heard. The natural resource concerns where, for example, the width of, the width of the Guayanilla channel, and I understand, you know, I heard the dialogue, I have no idea whether two ships, two post-Panamax ships could pass one another in the existing Guayanilla Harbor, I have no idea.

But maybe that's not needed, if you have only three ships a day.

And so I mean, these are traffic, these are traffic-related stuff.

What other, what other kind of, what other kind of traffic-related -- Oh, and then we heard traffic relations to manatees, to manatees in particular.

What other kinds of -- I mean, I'm trying to -- you see, I -- Well, I'm trying -- have we exhausted, have we exhausted the -- you see, I'm a linear thinker, okay. I'm not really, but I'm trying to be, for these purposes here. Because it's helpful for engineers to be linear thinkers, right? Right.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

Oh, you're talking about -- okay, so you're talking about -- So then what we also, what we also heard there was discharges from vessels.

I mean, natural discharges from vessels, I guess, like, like cooling water, or ballast, you know, ballast tanks being blown that might have something in them. Or, or, you know, I don't know, I have no idea what the Coast Guard does with those kinds of things.

But that's related to traffic, in a sense.

But it also is related -- I'm just trying to keep us going here -- what that's also related to is water quality.

Have we sort of finished our brainstorming? Because that's, in essence, what we're doing here. Have we finished our brainstorming on traffic studies?

We've talked about both land and water and some of the implications of that.

Can we go to water quality next?

I'm just -- I'm trying to help, folks. You know, this is not my project.

Can we go to, can we go to water quality?

MR. QUIÑONES:

Yeah, just one comment, the EIS cites the pertinent regulations that control the discharges from vessels in the coastal waters.

So all of this is regulated very strictly, and we'll look into that.

You want to address the next topic? Yeah.

So the next issue is water quality. This is, as I indicated, we did a study in both bays to get a baseline information, which was actual data. So, because the data that was historic, there's been changes in the bays. There's been -- So I don't know if there's any issues about water quality, other than what I indicated, that in the Guayanilla Bay we did encounter a couple of samples that showed relatively high concentrations of asbestos.

But it's clarified in the study, that it's not an environmental issue of concern, and that it was more of a lab issue than an environmental issue.

So we don't perceive any water quality issues, other than indirect effects, if there is a spill, if there is an illegal discharge, and that kind of activity.

So any comments about water quality issues in both harbors. In Ponce, I don't know if you have any issues...

(No response.)

MR. QUIÑONES:

Okay, no comments?

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. QUIÑONES:

Yeah.

MR. HALL:

Are you through? I mean, folks, this is your opportunity. This is called a scoping meeting.

MR. QUIÑONES:

Yeah.

Okay, the next topic is sediment quality.

The, you know, there's two issues here. One is in the areas that will be filled in Ponce, what's going to be the interaction between the fill and the sediments there.

And then the other principal issue is in Ponce, the dredged material.

Just to let you know, the analysis that we collected in both bays do not show any, especially in the Ponce Harbor, do not show any contaminants that would prevent discharge at the ocean disposal site.

This, of course, has to be validated to the Corps design protocols for sediment analysis and eventual obtention of the disposal permit by the Corps.

So any questions about sediment?

Yes...?

MR. LOPEZ:

Thank you.

You mentioned before in the sediment quality presentation that the Guayanilla sediments exceeded values in certain metals and aerochlors, which are PCBs.

And do these exceedences, do they still fall within the levels as permitted for ocean dumping? Or are you going to have to treat these as contaminated sediments?

MR. QUIÑONES:

Yeah, but the Guayanilla -- there is no plans for any dredging or ocean dumping of sediments from the Guayanilla Bay.

MR. LOPEZ:

Well, where did the aerochlors come from then?

MR. QUIÑONES:

Huh?

MR. LOPEZ:

Where did the metals and the aerochlors come from?

MR. QUIÑONES:

Well, it had, it had to be from the petrochemical activities of CORCO and Union Carbide and the other enterprises there.

So there is no plan for any ocean dumping of those

sediments.

MR. LOPEZ:

Okay, so--

MR. QUIÑONES:

Nor any dumping in any place.

MR. LOPEZ:

Okay.

MS. YOSHIOKA:

I realize you're saying there's no dredging requirements for Guayanilla, but, again, I think one of the things that has to be done with this project is look very carefully what the criteria are for your needed port development.

We're still thinking a little deeper than you're thinking; not 45, but closer to 55 feet depths for both turning basin and navigation channels.

MR. QUIÑONES:

The analysis that the consultants, marine consult--I don't know what, you don't call them marine consultants--to AFI and the government indicate that there is not going to be a need for any dredging in the Guayanilla Bay.

And the design of the piers would be in such a way that the -- the area of concern is in here close to Punta Gotay. There is, the bottom comes up quickly, so an

engineering alternative is to move the pier inland -- I mean -- into the ocean, into the bay a little bit here through perpendicular structures that look like a bridge.

And that's what the conceptual design I have seen by the other consultants to AFI.

So that addresses that issue.

MR. LOPEZ:

Okay, so essentially you won't need to dredge -- even though everybody agrees that post-Panamax ships really need 50-plus depth, and in some areas it's kind of tight, you're still not, you're still gonna go with your initial idea, you're not gonna dredge.

And then later on if you have to you'll--

MR. QUIÑONES:

Yeah. The current conceptual design of the project at Guayanilla does not contemplate any dredging whatsoever. Yeah.

MR. LOPEZ:

Okay. It's just -- I think if -- you may expedite the process if you contemplate the dredging and not do it, than not contemplate the dredging, and then come up at the last minute saying you have to do it.

MR. QUIÑONES:

Well, you know, of course, I'm sure that the

Commonwealth is not going to put forward a document to the Corps that will essentially delay the project.

Because one of the main objectives is to advance it as quickly as possible. Why would we come forward with something that we know could happen if we can predict it now?

So, yeah...?

MR. MUÑIZ:

Okay, I have a couple of issues with sediment quality investigation. I understand that when we're talking about, in this discussion when we're talking about sediment quality investigation, we're talking about two things: The discharge of fill material; and the discharge of the dredged material. Okay?

MR. QUIÑONES:

Yes.

MR. MUÑIZ:

Okay.

Under the discharge of fill material, I would have the following issues that would have to be addressed in the EIS -- and this sort of relates to the alternative analysis -- is, we're proposing to fill out there 110 acres.

Under the Clean Water Act, you know, we have to look

at, you know, why do we really need 110 acres of fill, and 10 acres of fill of wetlands. You know, what sort of alternatives have been done to avoid that fill, within that geographical sites minimization?

What other design or port layout has been looked at to minimize or avoid discharge of fill material?

Maybe limiting the scope where they're proposing the discharge of fill material.

And also the source of that fill material.

MR. QUIÑONES:

Yeah.

MR. MUÑIZ:

And I think that's addressed in another bullet.

In terms of the disposal of dredged material, we would also be looking at, you know, what beneficial uses that dredged material are available, before we even talk about ocean disposal.

But then there are three alternatives, and some of them consider ocean disposal. And you told us that in the next few weeks you will tell us what's going to be the preferred alternatives.

So that's sort of gonna drive the scope of the EIS, because if there's going to be ocean disposal proposed,

then we need to know if that dredged material is suitable for ocean disposal.

And that needs to be addressed in the draft EIS.

So that means those studies would have to be done, results would have to be obtained, and discussed in that EIS.

MR. QUIÑONES:

Yeah, I think we have enough -- I know what your concern is.

But I think we have enough data to be able to address, on a preliminary basis, the quality of the sediments that would potentially be discharged, be it designated for ocean disposal.

And with the existing studies, and the data we collected, we can address that issue.

Of course, I agree with you, if the alternative selected by the Governor is the one that includes dredging of Ponce, then the Commonwealth, AFI, or whoever is designated, will complete the studies, in coordination with the Corps, to define the quality of the sediments, as required for the potential ocean disposal permit.

MR. MUÑIZ:

And we would have to look at alternatives for the disposal of that material.

MR. QUIÑONES:

Yes.

MR. MUÑIZ:

Not necessarily ocean disposal.

MR. QUIÑONES:

And I agree, and we've looked into that.

We also addressed the issue of sources of fill material. I indicated we look at 12 quarries, and investigated them.

MR. HALL:

Okay, I have a comment now instead of a question. And that deals with if there is some fairly extensive dredging in Ponce, and there is a fairly high probability of putting at least some of that material in the ocean, that disposal site I guess has interim designation, and clearly there would be some kind of testing protocols probably that would be, that would be required.

I guess, I guess the Port of Ponce has contacted the Corps of Engineers, because we have a, we have what?--a scope of work, or something like that, for, what?--for sediment testing in Ponce Harbor?

The problem I think that the Corps has -- and I'm speaking out of line because I'm not, I don't work in the civil work side -- is that I don't think historically the

existing channel in Ponce has received a -- the federal project received an enormous amount of dredging.

So, I mean, I don't know that, but, I mean, that's what I've been led to believe; like 6 or more years since it was, since it was last dredged.

UNIDENTIFIED PERSON:

Thirteen years.

MR. HALL:

Thirteen years.

And so I guess my comment is that the Corps of Engineers may itself not have enormous, enormous anxiety or desire to move ahead with whatever would be needed to, in the way of either testing, or site designation, additional site designation information, by itself.

Because the authorized federal navigation project simply doesn't require that much maintenance dredging.

So that's something that needs to be considered, as a part of this mix.

MR. QUIÑONES:

We understand that, John.

MR. MUÑIZ:

And to add to that, although there is a designated site in Ponce, that site doesn't have an EPA approved management plan.

And before any material goes out there, or before EPA approves any material going out there, EPA's going to require, it's gonna have to approve a management plan. So...

MR. QUIÑONES:

Ramón, do you have a comment?

MR. AMADOR:

(Off mic, inaudible.)

MR. TORRES:

The Port of Ponce has initiated talks with DPA officials, particularly at the New York Regional Office, and they have expressed an interest on helping us, and developing that -- that's a marshelling plan.

In addition to that, we have initiated efforts to define, or better define the protocols for analyses both at the dredging area and the disposal zone, to facilitate both the Corps and the EPA.

And, definitely, we understand that the actual Corps requirements does not actually contemplate that amount of dredging.

The City of Ponce is definitely looking into a private funding, or a public funding, from municipal funds to develop both the analyses and the dredging activities.

MR. HALL:

Well, that's good, because that's an issue, I mean, that's an issue obviously.

MR. QUIÑONES:

Okay, so--

MR. HALL:

Anything, anything else on, anything else on water quality? Anything on the operational aspects of water quality of facilities like this?

I mean, is that, is that something that is same-old, same-old, whatever port you're dealing with?

MS. YOSHIOKA:

(Off mic, inaudible.)

MR. HALL:

Well, let me ask, let me ask Fish & Wildlife Service a fairly pointed question.

What I hear, what I think I hear you saying -- what I hear is that the Commonwealth anticipates, you know, whatever the final project is, that if a portion of it, or all of it is in Guayanilla, that there won't be any dredging that is required, and what I hear you all saying, within their, within their reasonably foreseeable planning horizon, I guess is what I hear.

And what I heard Fish & Wildlife Service saying is, well, yeah, but post-Panamax vessels might require 50-

some-odd feet plus, you know, plus some over, plus some over depth.

And so is what I -- is what Fish & Wildlife Services saying, hey, that needs to be considered now?

So the issue, then the issue here is, is what I hear the project proponents saying, that at least as far as Guayanilla is concerned they don't anticipate any dredging need in the reasonably foreseeable future.

And I don't know what that means; 5 years, 10 years. In your 10-year projections, are your 10-year projections without any dredging in Guayanilla?

MR. QUIÑONES:

No, actually the -- if, if 2.8 vessels per day arrive at the port, and the port definition that I'm using is both ports -- Guayanilla and Ponce -- and let's say that, on the basis of the concepts that I described, Guayanilla handles two-thirds of this traffic, because we said Ponce can handle 2 vessels at the same time, and Guayanilla 4.

So I'm just speculating that that proportion will be maintained.

So you would have two-thirds of 3, which is, what?--2 vessels coming into Guayanilla.

So the data that we have from the marine charts, and the analyses that were done by Frankel, clearly indicates

that there would not be any problems in handling those without dredging.

Now we also have to keep in mind that Beverly is concerned a little bit that -- now these vessels don't come into port like a race car. You know, they turn, they essentially turn off the engines, and they are pushed by the tugboats, and so the impacts, in terms of disturbing the sediments, are not when they are like in the open seas.

They are essentially being pushed very carefully into the port, and, and, you know, so the marine engineers designed the draft of these ports, taking into account these potential increases in turbidity.

And so that is addressed in this manner in the EIS.

We could, I suppose that we could research, and there's probably 50 studies worldwide where they have investigated the increases in sediment suspension in harbors, due to traffic.

And so we would be kind of reinventing the wheel or something that is well-known if we do that in detail.

MR. HALL:

So, in other words, what I mean, I'm giving you feedback here for everybody, what I heard you, what I head you say was that these vessels, these vessels would enter

a port, not under their own power, but under, but under tug manipulations, so that you would not have squat, you would not have stern squat and you would not have, you would not have the propeller turning to stir up, to stir up sediments.

That's what -- I mean, that's--

MR. QUIÑONES:

That's normal operations. What happens in Ponce--

MR. HALL:

Well, I mean, I'm just asking, I mean, I'm sorry, I'm just asking.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. SERVIDIO:

And usually vessels don't -- they dock with tug assist, but their main propulsion systems is still operating ahead, or astern, or whatever else is necessary to moor them alongside.

It's not a dead ship movement.

MR. QUIÑONES:

Yeah, but the operation is not at a rate, or a revolutions that when they are -- Do you have problems in Ponce, Ramón, with ships, when they're being towed,

disturbing the sediments in a way that it's perceived?

MR. AMADOR:

(Off mic, inaudible.)

UNIDENTIFIED PERSON:

He never looked.

MR. SERVIDIO:

You can generally see sediment being stirred up, even with the cruise ships, when tugs are alongside, when they're operating.

It does happen.

MR. QUIÑONES:

Yeah, I know, I'm not saying that it doesn't happen. I'm saying that it's not as critical, and it's a temporary situation while the ship -- How long does the ship takes to come into port?

UNIDENTIFIED PERSON:

It's a chronic effect.

MR. QUIÑONES:

Yeah, it's a chronic effect. I understand that.

MS. YOSHIOKA:

All I'm saying is this, Ferdinand. If you have vessels that are already drafting, in the post-Panamax class, they are already drafting 46, 47 feet.

MR. QUIÑONES:

Yeah.

MS. YOSHIOKA:

You ought to be figuring deeper than 45 feet for your channel depths, for your minimum channel depths.

That's all I'm saying.

And for the other, the turning basin--

MR. QUIÑONES:

Yeah, the Guayanilla--

MS. YOSHIOKA:

--whatever you need there.

MR. QUIÑONES:

In the case of the Guayanilla Port, the channel is at least 55 feet.

In the case of the Ponce Port, it will be designed in such a way that handles the vessels in a, in a way that it's safe and environmentally acceptable.

And that's--

MS. YOSHIOKA:

Okay, well, in the project plan it will be useful to have these elements identified on the chart.

Where is the turning basin; where is the docking area; where is the navigation channel--

MR. QUIÑONES:

They are, they are.

MS. YOSHIOKA:

--the width.

And that, you know, in relation -- and to move on, as I'm sure John wants to do, to the aquatic flora and fauna study -- that, in relation to what the benthic habitats are in the area.

We have a lot of information on some of this stuff on Guayanilla, almost none on Ponce. I don't know what you guys have done. We haven't seen the studies yet.

MR. QUIÑONES:

Yeah.

MS. YOSHIOKA:

But, you know, we're going to want to see the relationship of where the sea grass beds, and this sort of thing are, to the actual port.

MR. QUIÑONES:

No, your point is well taken, so we'll address that as--

MR. COLON:

Nelson Colón, Army Corps of Engineers.

I have worked this area for five years approximately, and the only comment I wanted to make about sediment resuspension is that the Guayanilla Basin, it's deeper than 50 feet, and tugs, you know, which don't draft half

of what a post-Panamax have made, you know, resuspend the bottom sediments.

Another point that I wanted to make, and I wanted to recommend is, have you studied the effect that the filling of this 110 acres in this shallow vegetated area north of Punta Gotay is going to have on the thermal plume from the Costa Sur.

Is it going to shoot it further west? Is it going to have an impact on the, on the western side of Guayanilla Bay sea grass beds?

MR. HALL:

Maybe that's a good transition to aquatic flora and fauna.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

I'm trying to move it along here.

We're having a consultation.

(A short pause is taken.)

MR. QUIÑONES:

Yeah, there's two elements of my response on that.

Number one is that the Corps has conducted a study of the currents in both bays, taking into account this potential fill.

And the results of the analysis that we received last week, a preliminary report -- the final report is being put together -- indicates that the changes in currents will be just localized in some areas, and will not have a significant impact, even with the fill.

In terms of the thermal plume, EPA has ordered recently to PREPA, to the Power Energy Authority, to conduct a study to relocate the plume from there into another location, and that's ongoing now.

So I -- that plume is going to be relocated, or dissipated in another manner. It could be that the solution is heat exhaustion inland by an evaporator, or some kind of device.

But that is going to happen before this port is built, whether this is a component of the port at the end.

So that's, that's my best answer to that.

UNIDENTIFIED PERSON:

If the plume is dissipated, or moved some other place, get rid of it some other way, that would necessarily have an impact on the management, right?

MR. QUIÑONES:

Well, I think that they like the thermal plume, but they go ahead there anyway, for other biological reasons that Beverly and the biologists can describe in better

details than I can.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. QUIÑONES:

It's their habitat, isn't it?

MS. SILANDER:

(Off mic, inaudible.)

MR. QUIÑONES:

Yeah.

MS. SILANDER:

(Off mic, inaudible.)

MR. QUIÑONES:

Observations, in that vicinity, by Miglucci and the other people show that--

MS. SILANDER:

Actually entering into, in the thermal coast--

MR. QUIÑONES:

I don't have personal--

MS. SILANDER:

Okay. I mean, because it is something that does happen in Florida. You know, that they will -- for more moderates, not -- or it wouldn't be such a frequent occurrence here, but the manatees might be looking for fresh water, but I understand that that's not, not, not

fresh water.

Based on our aerial surveys, we have more frequent observations of manatees outside coast. But that's the information that I have.

MR. MUÑIZ:

Let's get started with the rest of the--

And since they're basically the same. It's like aquatic, or terrestrial, maybe we can jump, you know, talk about both of them.

From my perspective, I would assume that Fish & Wildlife and NIMS would do more, or provide more input, but I would expect that the EIS would include a good description of the affected environment, and that would include all special aquatic sites, not only aquatic flora and fauna, but we're talking everything, you know, from different habitats, different -- we want to know where the sea grasses are, the extent of the sea grasses, the mangroves, the extent of the mangroves, coral reefs, essential fish habitats, all that stuff will be outlined in the EIS, draft EIS.

MR. QUIÑONES:

Well, the mangroves and wetlands are described in the, in the wetlands jurisdictional study.

MR. MUÑIZ:

Yeah, well--

MR. QUIÑONES:

In detail, and then the studies of the bay is described on the other systems.

MR. MUÑIZ:

And we're doing mud flats, salt flats, and all those special aquatic sites.

And also, to me, the EIS will have to include a good detailed analysis of the direct and indirect and cumulative impacts that the proposed project would have on those areas.

MR. QUIÑONES:

It does.

Any other issues?

MR. LOPEZ:

I'll take a first stab on it, and then pass it on to other people.

You mentioned that, you know, that no wetlands will be filled at the Ponce site. But if you put the map of Ponce up, the topographic map...No. There, right there.

There is -- that small wetland right there, that used to be the old Chemex site, and Luis Ayala Colón is there, and a couple of other facilities.

MR. QUIÑONES:

Uh-huh.

MR. LOPEZ:

That's still a small base in mangroves. And it would be a logical place for a port expansion, since it's right next to your port.

So, again, we consider that that may be an area where some of your additional value-added facilities could go into; especially operators like Ayala Colón, that already have a small operation there.

MR. TORRES:

We have been working on a relocation plan on the entire tenant population of the port to maximize existing uplands adjacent to the port, avoiding impact in that zone.

In addition to that, value-added activity can be included as a private development on the north part of the port, which is already zoned as an industrial, industrial site, under the Ponce master plan. And has about 130 acres of land that could be used for value-added, or industrial development.

MR. HALL:

One of my interpretations of what you said was, hey, if the port may expand its land site facilities, why not consider that wetlands.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

You see, that is a first for me. I've never, I've never, I've never heard anybody from Fish & Wildlife Service propose to fill a wetland.

MR. HALL:

I just wanted to make that point.

MR. TORRES:

Well, again, I'm trying to clear things up, so that later on, you know, three years later they won't -- oh, we forgot this little area; now we need it. You know, because our question would be, well, why didn't you put it in your EIS when you were doing this whole thing?

The other thing is, again, terrestrial impacts. That area between Río Matilde and El Tuque, the municipality of Ponce was redoing their territorial plan, and one of the proposed rezonings for that area was for light industrial use, I guess in anticipation of the proposed Puerto de Las Américas.

And again this is one of the things that Lee has been trying to point out, in our office as well, you know, there seems to be a drive for that, for that area, based on the port development, that these wetland areas, even

though the port is not going to develop them, AFI is not going to develop them, maybe the Port of Ponce will not develop them, but people already have designs on that area.

Because, again, it is a logical area for expansion. It's a nice little corridor. It's next to the highway. And it will be in between both ports.

And that's one of the, one of the things that perhaps should be discuss in the EIS, if there are any plans to rezone the area.

I don't know if the Planta de Alimento Territorial has been finalized, and now this area has been rezoned.

If it is, you know, that should be part of the EIS.

MR. QUIÑONES:

No, the Territorial Plan of Ponce has a soil calification (sic) scheme that identifies soils on the basis of their -- and that it categorizes them for potential development.

MR. TORRES:

Right.

MR. QUIÑONES:

And Ponce, any project like that would have to be approved by Ponce first.

MR. TORRES:

Right, well--

MR. QUIÑONES:

And so--

MR. TORRES:

--we reviewed, I guess about four or months back, an amendment to the Territorial Plan of Ponce, and one of those amendments was that particular area of El Tuque, Río Matilde being rezoned for industrial.

And we provided, you know, comments to the municipality, etcetera, etcetera.

But, again, that was -- one of the reasoning for that was Puerto de Las Américas.

So there is a nexus of indirect impacts on wetlands.

MR. QUIÑONES:

Cesar wants to answer.

MR. COLON:

On that particular point, yes, that area, that area, or part of that area, because there is certainly a part of that area that is simply untouchable because of its particular nature. But part of that area has been considered for rezoning as a light industrial zone, by the municipality of Ponce.

The municipality is also looking at some other area near the Aeropuerto de Mercedita, Mercedita Airport, both

to the northwest of the airport, and to the southwest of the airport, which have the Serrallés Industrial Park, and another area for industrial development, that are being also looked at.

These are merely, at this particular stage, merely possibilities.

There has not been any final definition by the municipality as to what will be needed, because of the possibility of the development of the transshipment port.

MR. MUÑIZ:

And this is not only in Ponce, because -- I mean, the concept we're talking about here, which is indirect development, is not only in Ponce, because in the last three interagency meetings all we get -- not all -- but we get quite a bit of projects that are coming in to develop in the Guayanilla area or surrounding area, and the only reason why they're going there is because the transshipment port is going there.

MR. HALL:

So those are induced, those are induced impacts, I guess.

We're still on aquatic and terrestrial flora and fauna.

I mean, clearly we have -- the manatee has been

identified, but are there other, are there other...?

MS. SILANDER:

Yeah, there's a section of endangered species, but we could talk about it now if--

MR. HALL:

Well, it's part of that -- or there's a separate--

MS. SILANDER:

There's a separate section on endangered species. This is much later, if we're too tired to talk about it, later we can move on.

MR. HALL:

Do you want to take a break? Do you want to take a break?

MS. YOSHIOKA:

Can we finish, can we finish--

MS. SILANDER:

Do we want to talk about it now or...?

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MS. SILANDER:

Yeah, the aquatic flora and fauna, again, what we'd like to see, that you have -- I know you have the J.D.s done, maybe you have the benthic surveys done. We haven't seen those. We want to see those plotted against what the

project plans are, so that we can -- it'll help the evaluation.

Otherwise we'll ask for it anyway.

MS. CARRUBBA:

And going back to -- Nelson's bringing up the 110 acres of fill.

As I said earlier, I think you also need to consider, in the essential fish habitats sort of analyses, the fact that you will be taking away a considerable amount of potential habitat area. There are sea grass patches there.

Just because they are not extensive doesn't mean they could never recolonize.

And, also, if you fill that area, in addition to what might happen with the thermal discharge, have you thought about what might happen with wave action, and some other things like that?

I mean, have you--

MR. QUIÑONES:

I explained that the Corps has just finished a study where it--

MS. CARRUBBA:

But are you including that--

MR. QUIÑONES:

We included that in the analysis.

MS. CARRUBBA:

--in the analysis?

MR. QUIÑONES:

And it shows that there is not going to be any significant changes in currents in the bay.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MS. CARRUBBA:

The engineer -- So all of the potential impacts of this fill activity have been thought out--

MR. QUIÑONES:

Considered, yeah.

MS. CARRUBBA:

--and are discussed already in the EIS.

MR. QUIÑONES:

And we identified the patches of sea grass, and we actually identified potential areas where they could be replanted, if that's part of what the Corps and you all decide it's going to be the potential mitigation.

MS. CARRUBBA:

Okay.

MR. HALL:

Let's take a 10-minute break, and we'll keep it to a

10-minute break.

I think there's additional goodies there for snacking. It's not a lunch, it's snacking.

So let's take 10 minutes, and we'll be back.

Thank you.

(Whereupon, the meeting was recessed for 10 minutes.)

MR. QUIÑONES:

We are ready to continue.

If you could please...If you could please come back to the room.

(A short pause is taken.)

MR. QUIÑONES:

We're ready to continue. Sir...?

Let's go. Anybody else out there who's joining us?

MR. HALL:

(Off mic, inaudible.)

MR. QUIÑONES:

Okay. John, just a clarification for record, for the record also.

I have with me a copy of the Corps report on the current study, the study of the currents in the Guayanilla and Ponce basins, and I just wanted to quote, so we can clear that doubt, about the navigation capabilities of the

Guayanilla Harbor.

And it says clearly in page 8, the report states unequivocally that, "The Guayanilla Harbor is available for vessels of any draft."

And that, what it means is that -- I just wanted to clarify that because I had quoted that report officially.

I also wanted to mention that the report is available right now on the Corps' web page. And you can get -- this is Osvaldo's copy. You can get the quotation of the page, and this report is now there available right now, so you can get it if you want to look at it.

MR. HALL:

Obviously if the Corps said it, it's gotta be true, right?

MR. QUIÑONES:

It's gotta be true, yes, sir.

MR. QUIÑONES:

Okay, so we need to go into archeology next?

MR. COLLAZO:

Yes, please.

MR. QUIÑONES:

Gracias, Osvaldo.

So any issues on archeology...? Yes...?

MS. TORREGROSSA:

My only concern is just regarding--

UNIDENTIFIED PERSON:

Identify for the record, please?

MS. TORREGROSSA:

Hi. Enid Torregrossa, SHPO.

My only concern, and we talked about it before we came back, it's regarding the cultural resources that must include not only archeological subaquatical and terrestrial, but also any other historical properties or sites within the area that can be eligible to the National Register.

MR. QUIÑONES:

Yeah.

I believe that I mentioned that in some of the areas, value-added areas in Ponce, there are some buildings that have been included in the inventory.

So I'm sure that when development takes place there, they will be duly--

UNIDENTIFIED PERSON:

In the value-added?

MR. QUIÑONES:

Yeah, not in the value-added, in the area adjoining the port, right?

MR. TORRES:

That will be the La Playa Ward, the La Playa community.

MR. QUIÑONES:

In the nearby, right.

MR. TORRES:

Yeah.

MR. QUIÑONES:

Yeah, okay. So I stand corrected. It's in the nearby areas. Yeah.

So that -- Any other points...? Edwin...?

MR. MUÑIZ:

When you did your surveys, were you only looking at archeology, or also architectural buildings, and that stuff? None of that stuff is--

MR. QUIÑONES:

Well, no, the Phase 1-A protocol requires that the people look at historical and cultural resources, both.

And so that's what they do. They address both at the same time.

Go to the next...? Any issues about noise? The noise investigations?

MR. HALL:

Is there a -- we're, I guess we're still back on

navigation depth in Guayanilla.

You know, I don't know, I'm sorry, but what, what Fish & Wildlife Service has there is -- I don't know what that is.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

That's our study. Oh, and it shows you how much I know about it.

And it says something about, it says something about depths of, whatever it was, 24 to 36 feet in berthing areas; those are existing berthing areas, presumably not, not what's being proposed in, in the harbor, for this--

MR. QUIÑONES:

Yeah.

MR. HALL:

--for this transhipment.

MR. QUIÑONES:

Yeah. Right.

So any issues, comments on the noise issues?

(No response.)

MR. QUIÑONES:

Should we move on to the next?--The wetlands J.D.?

MR. MUÑIZ:

You mentioned that those were completed--

MR. QUIÑONES:

Yeah, we have, we have copies here, two individual -- it's one study divided into two pieces; one piece for the Ponce area; and one piece for the Guayanilla area.

MR. MUÑIZ:

Okay, so the wetland mitigations for those two sites have completed--

MR. QUIÑONES:

Yes.

MR. MUÑIZ:

Can you submit it to us, so they can be verified? Because we have not--

MR. QUIÑONES:

We have not submitted anything yet at this stage, but we will, when we submit the whole package--

MR. MUÑIZ:

Okay.

MR. QUIÑONES:

--unless you want them ahead of time.

MR. MUÑIZ:

I think we want them ahead of time because they're going to take time to do.

MR. QUIÑONES:

Okay.

MR. MUÑIZ:

And we want to start doing them as soon as we can.

MR. QUIÑONES:

So you make notice of the wetland studies to submit to the Corps, for AFI to submit.

Any issues on socioeconomic or environmental justice or any of the issues on the board? I think everybody is...

So, we go to the next one, John?

MR. HALL:

If nobody says anything...

MR. QUIÑONES:

So here, endangered species--

MR. HALL:

Okay, we've hit, we've hit a winner here.

MS. SILANDER:

Okay, we have several comments on this one.

First of all I'd just like to point out that because the project does require federal permits, and is considered, is being considered a major construction activity, that it will require what's called "a biological

assessment."

And, as you probably know, a biological assessment is part of Section 7, a consultation under Section 7 of the Endangered Species Act.

And basically it's a document that assists the Service and the federal agencies here in determining whether there will be an impact to endangered species, or its habitats.

Sometimes this is included, this is prepared as a separate document. Sometimes it's included in the EIS.

It can be done either way, but it needs to be an identifiable analysis of impacts to the species, and their habitats.

You've mentioned it, and we've provided a list of species to the Corps, and in previous letters to AFI, I believe it was, or to a previous consultant.

And there's a number of species that we've expressed concern about, or we've said that are potentially within the project area.

And those include the brown pelican; the manatee; the Puerto Rican night jar; the yellow-shouldered blackbird; rosea tern; and sea turtles; green hawks; the leatherback.

There are a couple of plants that we mentioned, and

we included them in our list of species, because at that point in time the area that the project was to be constructed upon wasn't clearly defined.

And those are boces bush of valley (phonetic), which is found to the north of the road, and I believe that was actually found during the surveys that were being conducted as part of, for a previous EIS, or from a previous version of the document.

And we also mentioned the crested toad.

A biological assessment is defined by the regs, and there is information on what a biological assessment is in the regs--

MR. QUIÑONES:

Mmhm.

MS. SILANDER:

--and we can give you a copy of that if you'd like.

And the contents of it are discretional, but, but they, but we recommend that they be followed.

And some of the things that recommend for inclusion include, in the biological assessment, include the results of on site studies or inspections to determine if the species are present. Or if they occur seasonally, what their habitat is, and how they're using that habitat.

There are several species, at least three species

that I have here that are seasonal, that could be seasonally present.

One of those is the yellow-shouldered blackbird which nests, or the breeding season for the blackbird is between February and August, during those months.

The Puerto Rican night jar, whose reproductive or breeding season also is between February and September.

And the rosea tern, that utilizes one of the offshore cays for nesting would be present only during the summer, the summer months.

So detecting those species may be difficult if you already haven't done, if you haven't already done the surveys for those species.

And we would need the information on the presence of those.

It can also include the view of recognized experts on the species, and information that's already available on the species and their habitat, a review of the literature and other information that's available.

We do have some information on the species that we can provide to you if you need it.

It should also include an analysis of the effects of the action on a species, and their habitat, including the consideration of cumulative impacts, and the results of

any related studies.

Just to mention a few, the night jar is a species of particular concern. And this concern is primarily over the potential for impacts from the value-added activities. Although we had probably more concern about that previously, when there was, when we understood that there were additional areas that might be included in that value-added, in those value-added activities.

But there may be indirect impacts on the species' habitat. For example, from widening of roads.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MS. SILANDER:

To both sites.

Well, in -- primarily I would expect it would be more of a problem in Guayanilla. The Guayanilla hills to the north of Route 2, and also the hills to the west of the project site, between the project site and Playa de Guayanilla are excellent, excellent habitats for the night jar.

And there is information available on the species in that, in that habit.

It's probably just as important, if not more important, than the Guánica forest for this, for this

species.

So we're concerned about the impacts from secondary development on that species, and also they're concerned about the impacts, or the potential, or where the fill material is going to come from.

And I know that you've mentioned that that fill material may come, will come from existing quarries.

But it remains a concern in the sense that will those quarries need to be expanded, expanded. Is there sufficient material in those quarries? You know, how does that affect the available material for other, I mean, how much material are we talking about?

So you need to look at that, and if there'll be impacts to the species' habitat from the extraction of material for fill.

And, again, any expansion of roads, etcetera, that might impact the species' habitat.

The yellow-shouldered blackbird, you need to evaluate whether there's any potential for nesting habitat that might be affected by the filling; particularly in Guayanilla. You had mentioned that there would be 10 acres of mangroves that would be impacted?--10 acres of wetlands that were going to be affected in Guayanilla, and we need to know whether those areas provide habitat for

the yellow-shouldered blackbird.

The range of the blackbird has expanded recently, and we don't have information on that area, because it's not an area that's extremely accessible to, for example, biologists who do surveys, surveys of the species.

And, again, as I said before, that's a species that you would be able to detect it perhaps seasonally, because it does nest between May and September, April and September.

The species also might be using the area for roosting. So you would need to look at that.

Manatees, you've mentioned manatees many times. But you need to be concerned about manatees, both in Guayanilla and in Ponce, although we do have information that there are more manatees in Guayanilla than in Ponce, based on the information that we have from aerial surveys.

Like I said before, you need to look at the increase in boat, increase in traffic, not only from the ships, but any associated vessels.

You need to look at the potential for any of the things that were evaluated in Eco Eléctrica as well, and the potential for pinning of manatees underneath incoming ships.

So you need to look at what the depth of the water

and the draft of the ship is, something that we've been talking about.

The potential for impacts from propeller blades.

To evaluate the potential for impacts from dock designs.

The potential for pinning manatees between the ships and the dock.

You need to look at the design of the fenders on the, on those docks.

You need to look at the impacts from the filling. You know, what kind of protocols you're going to use for, you know, if manatees are in the area.

Impacts from dredging, so as not to impact individuals during dredging.

You need to look at the amounts of sea grasses being -- which is feeding habitats for the manatee -- and how much sea grass area is being affected.

And if that area is utilized by manatees for feeding in the Guayanilla Bay.

You also need to look at visual migratory birds. For example, in those 10 acres of mangroves that might be another issue kind of apart from endangered species, but impacts to migratory birds, direct impacts from removal of any mangrove habitats that those species might be nesting

in.

And sea turtles basically in the area would follow under the jurisdiction of NIMS, but you might want to look at any potential for impacts from expansion of roads, that might affect these areas between Ponce and Guayanilla, or any indirect impacts from, from any type of development.

The rosea tern, you need to look at impacts from disturbance. There is nesting on the cay at the entrance of the Guayanilla Bay.

What the impacts of the disturbance on those species nesting, from the increase in boat traffic.

As you would also need to do with the increase in boat traffic on manatees; the impact of disturbance, harassment. The potential for separation of mothers and calves.

Those are not intended to be all-inclusive.

MR. QUIÑONES:

Yes.

MS. SILANDER:

But those are some of the issues that we would be looking, evaluations that we would be looking for in the biological assessment.

And, again, and there should be a discussion of measures designed to minimize, to avoid or minimize,

and/or minimize impacts to the species.

And whether if there are any areas that are being proposed for protection, for any of those species, in any way or form.

Again, the biological assessment is a document that will assist the federal agency in making a determination on whether we need to go into formal consultation.

So, that's a determination which the Corps will make, based on the receipt and evaluation of the biological assessment.

And we also need to keep in mind that if there is a need for formal consultation, that there is a time frame that we'd be looking at, after that determination is made which, according to the regs, is 135 days once the determination is made.

MR. QUIÑONES:

So, Susan, most of those issues, or -- we're aware of the need for the biological assessment, and the consultation, and we have most of the information that is needed for drafting it, and we, in the draft of the DIS, that I have revised, we address most of those issues.

We've noticed the one that in the back of my mind I have some doubts, and we will address them adequately on the document.

MR. HALL:

I'd just like to ask a process, a process question.

The way this is supposed to work, since we're -- obviously an EIS is being prepared, one of the ways we could go about dealing with protected species is to write both Fish & Wildlife Service and National Marine Fisheries Service, and ask for a list of species.

You just gave us a list of species. We didn't get one.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. HALL:

I know you're in a different part of National Marine Fisheries Service, so we can take care of that.

Would you like us to write, would you like us to go through the formal process of writing you a letter, asking for a list of species, asking for any, you know, whatever, and then have us work with the applicant, to prepare the biological assessment?

And then, and then I, my suspicion is that we probably, at least for some of these species, are going to include that the project may affect some species.

And so my suspicion is that we probably will be

asking for formal Section 7 consultation.

So do you want us to do that, you know, sort of by the book?

I mean, or is there -- I mean, or do you -- because you've gone through a long list of species that possibly might be affected.

MS. SILANDER:

(Off mic, inaudible.)

Whether that list went to the correct persons or not, I'm not, I'm not sure.

MR. QUIÑONES:

Yeah, what happened, John, this relates to the original EIS, in which actually the consultation was begun.

MS. SILANDER:

Mmhm.

MR. QUIÑONES:

But since this is a new process, I suspect that we will have reinitialize it to maintain the -- the lawyer will -- I don't know what the lawyer will call it, but--

MS. SILANDER:

You can ask us to confer--

MR. QUIÑONES:

--the purity of the process, or something like that.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MS. SILANDER:

You can ask--

MR. HALL:

Write two letters; one to Fish & Wildlife Services, and one to the National Marine Fisheries Service, asking, you know, asking, based on the scope of the project, asking for a list of species, a list of species that each agency might have a concern about.

And then we will look at that, and share it, share it with the applicant, and proceed with the preparation of the biological assessment.

Is that -- But I think we need to be forewarned that probably for some of the species our conclusion will be may affect, and we will be initiating formal Section 7 consultation.

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. QUIÑONES:

Just for information, while you get the microphone, in the draft document that we have prepared, we evaluated 22 endangered or threatened species, based on the draft

letter that, the letter that Fish & Wildlife provided us.

So we'll check that against whatever you provide us later.

MS. CARRUBBA:

And I spoke with the Fisheries biologist from our protective resources division, and obviously manatee, again, is a concern for Nelson. And also all the sea turtles, the loggerhead, the green, the ridley.

One of the main things that they will want to see, is if there's going to be dredging in Ponce or in Guayanilla, they will want to see method of dredging, what sort of exclusion devices they might be contemplating.

As I'm sure you're aware, turtles get chewed up pretty good in dredges sometimes so that's, that will be a big one. Eric is real big on that.

So we definitely want to have--

MR. HALL:

Is that going to Eric Cock?

MS. CARRUBBA:

Eric Cock will be the contact.

MR. HALL:

Okay.

MS. CARRUBBA:

Yes.

MR. MUÑIZ:

(Off mic, inaudible.)

I think his main concern is on dredging, and if there will be any explosion or demolition type--

MS. CARRUBBA:

(Off mic, inaudible)

MR. MUÑIZ:

And it's pretty much along the same lines on the permit application that we processed for the outflow many years ago, in the same area.

MR. QUIÑONES:

(Begins off mic, inaudible.) And the acoustic studies of the bottom of the Ponce Bay doesn't show any solid sediment.

So we don't foresee any use of explosives or that type of dredging of materials, using explosives.

MS. RIVERA:

For the record, this is Marelisa Rivera for Endangered Species.

And my question is about the process again.

If we go by the book, we all know that this is not by the book, because every time we ask about a study, they already have the study done.

And in Section 7 consultation, when you ask for the list of species, is to have the idea of what studies you're gonna do, in order to find those species in the -- So that means that in this particular moment we are a little bit tied for the studies that you already did.

And the time frame that we're talking about, the draft EIS, my question would be if we can be more informal in the formal process, in turns of start seeing what's -- because each species has different seasons, or different characteristics, and different places have different habitats for the species in different time, moment.

For example, in Ponce we don't have necessarily the yellow-shouldered blackbird concerns, but in the 10 acres we have that are, that will be filled, we have concerns on the yellow-shouldered blackbird in different ways.

It could be a foraging area; it could be a roosting area; or it could be a nesting area.

And if you are gonna determine any of those, you need to search for the species in different timings.

And I imagine that you didn't have the opportunity to do it that way.

That means that we have to start looking what you did, and we will provide you with the list, but we have to start at what have been done in a better process, instead

of waiting for a letter.

Because then we have to sit down and recommend you maybe other studies.

And we are talking about species that is not gonna start nesting until March.

And if not, what will be our approach, if we anticipate, and then, well, we don't have the timing to do the soils, but we are gonna characterize the habitat.

And you will need that kind of agile strategy, because if not you, some of the species is not gonna help the process, to expedite the process.

Because then if we wait until the EIS maybe it's a little late, and remember the biological opinion takes some time.

MR. MUÑIZ:

I agree with you that we need to follow the procedures that's outlined in the regulations, and we're gonna write the letter to make sure that we wrote a letter, and that we get the information, but the information was provided about a year and a half ago.

Some of the studies may have, or may have not been done, so we have to take a look at that.

But we are going to be asking the Fish & Wildlife and the National Marine Fisheries Service for a meeting, so I

guess we can call that starting informal consultation.

And then we'll make determinations if we need to go formal. We don't want to stay informal, and just leave it open eventually.

So we need to make some determinations and move on.

MR. HALL:

The point I was making is that from what I've learned so far today, I think there are a couple of species, that we would, we would undoubtedly may affect.

And request, and would request formal consultation.

But I, certainly, I mean, starting in an informal, you know, starting with informal consultation, and trying to work together on what -- trying to work together with AFI on available information, matched against the, against the species that you have special concerns about, I think it's a good way to start.

MS. SILANDER:

There are some species that we originally provided to you in the list that we probably are not concerned about now, whereas we were before, based on the previous project's description.

So we don't want to get stuck on those either. And we want to focus on those that there is potential for impacts to those.

MR. QUIÑONES:

Okay, so we took care of endangered species.

Any issues on the flood zoning issues? I think I clarified that, that the areas that the Carbide parcel are well, clearly identified on a FEMA map of 1999.

So we don't have any significant issues there.

Any issues here that you want us -- I think this came up again.

Susan mentioned the issues of the quarries. And, again, we looked at quarries that have been authorized by DNER, both in Ponce and Guayanilla/Peñuelas, for extraction, and we have no doubts that they have the permits to provide the amount of fill that is needed.

And, you know, we have to assume that when they got those permits, they did the environmental analyses that are required by the DNER before they were issued these permits.

MS. SILANDER:

I have a concern about that because I don't know that we've necessarily had the opportunity to evaluate the impacts of those quarries, because some of them may be very, they may not be new, they may be old quarries. I don't know.

And we'd be looking at that.

MR. QUIÑONES:

They are active quarries that are--

MS. SILANDER:

Active quarries.

MR. QUIÑONES:

--operating.

MS. SILANDER:

Uh-huh.

MR. GONZALEZ:

We wrote both the Department of National Environmental Resources, as well as the Municipality of Ponce.

Within the Ponce municipality they have authority under the autonomous, "Municipio Autónomo," to issue permits for quarries.

So we got two lists; one from the "Municipio" in Ponce; and one from the DNER, of active, authorized quarries.

I personally visited about 10 of them.

In the general region, there may be up to maybe 15; some of which I did not visit.

But they are authorized. Which means that they comply with all existing Commonwealth and autonomous, "Municipio Autónomo de Ponce" regulations.

Now, whether, whether the material that they -- Of course, you know, these are different kinds of materials, for different purposes.

I guess at some point in time we'll have to wait until the final design of the project comes, and the exact specifications of the filling material is determined, to actually decide whether the material that is available can supply the, the specifications of the fill material.

But as of now, at least these 10 that I personally visited have an authorized production of over 20,000 square, cubic yards per day.

MS. SILANDER:

And how much fill material do you need?

MR. GONZALEZ:

Ahhh, we're talking about maybe two, you know, about, between 1.5 and maybe 2 cubic, million cubic yards.

UNIDENTIFIED PERSON:

2.5.

MR. GONZALEZ:

2.5.

UNIDENTIFIED PERSON:

Million cubic yards.

MR. QUIÑONES:

So, the next one...?

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MS. SILANDER:

The concern for the fill material, it sounds to me like it's a lot of a fill material.

We're concerned about where it comes from, because the majority of the quarries are probably within habitats that is night jar habitats.

And unless they're quarries -- I mean, there may be quarries that outside of the habitat, but I don't know.

But a large number of them, they probably are within night jar habitats.

And the removal of the vegetation, you know, for the production of the new material is going to remove night jar habitats.

That's a big concern to us.

I don't know exactly how we're going to deal with that.

They may be authorized quarries. You know, whether or not they have all together sufficient fill material or not, we still don't, I mean, I don't think they have an answer for that. I don't know, I don't know.

MR. QUIÑONES:

Well, you know, Susan, I think this is a simple

issue. Because here is the two alternatives: If, when we get into that point in time, like Joe says, that design people identify the type of material specifically, and we identify the potential sources, then one of two things are going to happen.

When we get in there, we find out, number one, whether they comply with the Law No. 9 requirements, and they have assessed whether you have those specific habitats in there.

And if they didn't, then we will have the opportunity to go there and do the analysis to determine if it's a habitat or not.

MS. SILANDER:

Okay, well, I will--

MR. QUIÑONES:

But at this point in time until we find out from where -- because the material varies, both in the Ponce area, and in the Peñuelas and Guayanilla area we have different kinds of material.

And the geotechnical analysis will not be done until we get into the next stage of design, so we will not know exactly what kind of material.

We know that it's going to be some kind of "caliche,"

which is what has been used in Ponce, in the past, and in some of the areas, in Eco Eléctrica. So we know that.

And so from that base we will, we will proceed through an elimination process, and achieve what you have in mind at the right time.

MS. SILANDER:

There's a definite potential for a take there, which needed to be considered in the, in the consultation process.

MR. HALL:

Okay. Just to sort of bring us up, what are your expectations, the Corps of Engineers?

MR. QUIÑONES:

John, one comment is the DNER extraction permit process requires the preparation of a local EIS that they will not issue those--

MS. SILANDER:

But that doesn't mean that the impacts were evaluated on endangered species.

MR. QUIÑONES:

Yeah.

MR. HALL:

What are your expectations?

MS. SILANDER:

Well, our expectations is that there is analysis of how much fill material is needed, and an analysis of, to the best that can be done, of where that material is gonna come from, and how much, if it indeed affects night jar habitat, how much night jar habitat is going to be affected by that, by the removal of that fill.

And, therefore, because we'll need to determine whether there's gonna be a take, and if that take is gonna reach the level of jeopardy or not.

MR. HALL:

So, these thorny issues about, you know, about what the Corps of Engineers calls scope of analysis, we may be going fairly far afield from where the Corps feels comfortable going, going easily.

And so I want to ask about, about possible alternative ways of dealing with this particular issue.

I can understand from the perspective of someone who's trying to construct something, particularly at this stage in the planning process, and the review process, nobody is gonna have the vaguest idea where the materials are gonna come from.

And -- I don't think. I mean, if you do, if you do you probably could sell futures.

MR. QUIÑONES:

That's a design issue, it's a design issue.

MR. HALL:

And so I don't know exactly -- I mean, there are -- are you, would you like us to expand our scope of analysis to the quarries?

Or, or secondly, if you have a, if you have a concern for this particular species, could you, have you, have you contemplated, for these quarries, in a proactive way, doing something under Section 10 of the Endangered Species Act?

MS. SILANDER:

Well, I think -- First of all, we'd certainly like to see the quarry addressed, the issue, in the scope of the analysis. I think that we feel very strongly that the need for the fill is definitely, is definitely there. It's part of the project.

Without the fill, there is no 6,000-footlong docking space and berthing space in Guayanilla.

So it sounds to us like it's an integral part of the project, the fill material.

I understand the difficulty perhaps in determining exactly where it's gonna come from, but it is a big part of the project.

You know, Section 10 is one way of dealing with it,

but -- and it has not been done, no, through Section 10.

But we'd prefer to see it, in this particular case, as part of the scope of the analysis.

How you could do that, you know, you could calculate, you know, how much fill material you need, and, you know, what potential quarries out there that could provide that fill material, without having to destroy, without having to--

MR. QUIÑONES:

And that, that's what I tried to explain--

MS. SILANDER:

--without having to destroy habitats--

MR. HALL:

No, I mean--

MR. QUIÑONES:

Yeah.

MR. HALL:

--if the math is done in such a way that it doesn't affect competition.

MR. QUIÑONES:

Yeah.

MR. HALL:

I mean, we're getting to the point here where, you

know, where this may be an issue that is very difficult for us.

And that's why I'm asking, you know, that's why I'm asking about, about Section 10.

MS. RIVERA:

I would have a concern about Section 10. Then who's gonna be responsible for the Section 10 permit? It would be AFI? It would Port Authority?

And the other way is, in order to avoid competition, what you can do I imagine that you have aerial photos, aerial photos about the areas that you're talking about, that you can identify in general how many acres of land do you need for the fill material.

I don't know if that's possible engineering.

And I anticipate that a maximum of how many acres in general -- You don't have to pinpoint exactly the specific area that you're--

MR. QUIÑONES:

But I think that analysis--

MS. RIVERA:

If that area would serve for night jar or not. If it's a potential habit or not, and say, well, we anticipate the possible take of 10 acres of possible night

jar--

MR. QUIÑONES:

Yeah.

MS. RIVERA:

--habitat. Is that possible? I don't know if--

MR. QUIÑONES:

I think, I think--

MS. RIVERA:

And you don't have to pinpoint exactly this quarry against this other quarry.

MR. QUIÑONES:

Yeah, but regardless of how you look at it, the alternative of the least potential environmental impact is using existing quarries.

MS. RIVERA:

Yeah, but the existing quarries--

MR. QUIÑONES:

Because if we go--

MS. RIVERA:

--are they vegetated, or not vegetated?

MR. QUIÑONES:

Well, let me finish.

MS. RIVERA:

Uh-huh.

MR. QUIÑONES:

So if I go to a new quarry, it's a whole new ball game, and I have to do an environmental impact statement at the local level for that, with all of the stuff that is required.

But if I -- So I go on a statewide basis. I have identified these quarries. And then I go in there and investigate the analysis that they have done to determine whether there is any special habitats in there.

And, and definitely once I know the type of material that I need, and I match it with the available quarries, then I can, I can tell whether I need to expand the environmental study of those quarries.

MS. RIVERA:

Okay.

MR. QUIÑONES:

But I cannot do this at that time, because this is a design issue.

Until the geotechnical alternatives are evaluated, in the future, I cannot go to that step.

And I think we have enough data that shows that the quarries have capacity within their permits to provide this, and we have to accept that those permits were issued

by the DNER, after a comprehensive analysis.

MS. RIVERA:

Yes, but the take issue is different.

The take issue is when the actual destroy, uhhh, vegetation removal and machine movement, of course.

You can address that issue before you enter in the machine, or you can anticipate it before in the planning, in the planning process.

There's two ways to do it.

If you do it through the Section 10 permit it would be an HCP, a high conservation planning process. I don't know if you're aware of that process. It's not a process that is gonna take 135 days, let me tell you. This is a process that goes through Atlanta.

Then, instead of a biological assessment, you have to do an HCP, which is a completely different document for the species, that you have to do the NEPA analysis for that document, we have to review it, we have to determine if the take level is a jeopardy or not for the species.

We have to give it to Atlanta. Atlanta review it, Federal Register, waiting 30 days for the Federal Register.

And it's a process that can take one or two years.

If we do it through Section 7, in a different way, we can do it.

It's my idea.

MR. LOPEZ:

Just one quick comment, Ferdinand.

I think you have the information, because you know where the quarries are, right? You can draw, you can draw, you can draw them on a topo map.

MR. QUIÑONES:

That's how we have stated it, I think--

MR. LOPEZ:

Okay, you can overlay an aerial photograph--

MR. QUIÑONES:

We assume that we have tone over that analysis.

MR. LOPEZ:

And, you know, that tells you whether it's vegetated or not.

MR. QUIÑONES:

Yeah. And I think that I have said many times, wait until you see the analysis, because we have gone through generally that process.

MS. SILANDER:

Okay, well, that may be the case and, you know,

following what Félix says, and what Marelisa said, if you could, for example, on an aerial photograph, for each one of those 15 quarries, put what the extraction limits that are permitted on, on because they may not have gone--

MR. QUIÑONES:

We have a table--

MS. SILANDER:

--up to their extraction--

MR. QUIÑONES:

--and we have an aerial photo showing their locations. That's part of the--

MS. SILANDER:

Okay, and marked on the--

MR. QUIÑONES:

--current draft.

MS. SILANDER:

--and show us on a photograph--

MR. QUIÑONES:

Yes.

MS. SILANDER:

--what's the limit of the extraction permitted in.

MR. QUIÑONES:

Yeah.

MS. SILANDER:

And then we'll be able to tell, for each one of those 15 quarries, whether there is actually--

MR. QUIÑONES:

Yeah, that's not a problem.

MS. SILANDER:

--quarries with habitats that could be affected by the--

MR. QUIÑONES:

That's not a problem, yeah.

MR. GONZALEZ:

But basically what you're saying is that each quarry has been authorized to dig up to 50 acres. But so far they have only dug 25. And there's 25 left. And that's basically what you want, right?

MS. SILANDER:

Uh-huh, what are those, what are those--

MR. QUIÑONES:

That's not a problem. We can handle it that way.

MS. SILANDER:

--what the habitat is. And then we can judge on how we're gonna deal with the, the--

MR. QUIÑONES:

Alright.

MS. SILANDER:

--the issue.

MR. QUIÑONES:

We'll address it.

Any other issues...?

MS. SILANDER:

You don't want to...?

MR. HALL:

It sounds like there is a practicable way of working a solution. And I think, and I think that is good.

If for some reason that practicable solution does not work, and if for some reason we decide to issue a permit for some project that's going to require fill from these areas, one of the ways that we could possibly handle that is to simply say that no quarry that has the potential, through its, through its operation that has the potential for harming, or taking these species, can be used.

And then we leave that up to, we leave that up, then we leave that up to you and the, and the project proponent.

This is a hard one for us to deal with.

MS. SILANDER:

If you were to prove that as a -- you're submitting the biological assessment to us, and you included that as

a specification in the biological assessment, we wouldn't have, we wouldn't have a problem with that.

MR. HALL:

What I'm hearing is--

MS. SILANDER:

Uh-huh.

MR. HALL:

--is that there are ways of working it informally, and I, and I would hope that we could work the issue informally.

But if for some reason we can't, for some un--you know, reason that I can't foresee, then, then there is a, there is an alternative strategy to deal with that particular issue.

That's what I was, that's what I was saying basically.

MR. QUIÑONES:

I guess that was the last issue we had on the board, John.

Do you want me to go beyond this? This is the last -- Angel, this is the last...

So that those are--

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. QUIÑONES:

Yeah, can you go back?

MR. MUÑIZ:

Go back to the...

UNIDENTIFIED PERSON:

(Off mic, inaudible.)

MR. QUIÑONES:

No, leave it there.

MR. MUÑIZ:

Maybe I missed what you said.

Okay, we finished with the endangered species, flood zone. Any comment? No? Nothing?

MR. HALL:

No.

MR. MUÑIZ:

Infrastructure, nothing. Soils and geology nothing.

Now we have to do waste. I guess we defer that quite a bit to EPA here.

So we probably need to talk on the side about that.

And I do have some other, some other -- I've gotten some letters, and some other concerns that I need to -- that we're not going to discuss here today, because I got them, and we will consider them, and we will discuss them with you probably this week or next week sometime.

Okay.

MR. QUIÑONES:

Any other issues?

MR. LOPEZ:

I've got one comment, and you've made reference to, you know, Ferdinand, wait until you see the draft EIS, wait until you see the draft EIS.

For some of these things I think it'll be better not to wait for the draft EIS, and, and bring the information forward now.

Because if we wait for the draft EIS, and the information is not there, all it's gonna do is slow down the process.

MR. QUIÑONES:

Well, Félix--

MR. LOPEZ:

You know, Edwin already mentioned a separate meeting on endangered species. Bring all your stuff then.

MR. QUIÑONES:

Okay, yeah.

My comments are -- you know, I tried to answer the questions to the best of my ability, and then I'm adding, that's included in the draft EIS. And in more detail of what I can explain here.

A lot of it is in these studies, which you have a lot of pleasure reading.

MR. LOPEZ:

Okay, let me clarify within the way I understand the way this works.

We have a scoping process, and we, the Corps are hearing what you all have to say, and what your issues are, and we're gonna collect those, and we're gonna collect the issues that are coming in in writing by other folks that are not here.

And we may have a public scoping meeting.

And then we're gonna prepare a list of issues, and the alternatives, which you already talked about, and the list of issues that need to be addressed in that EIS. Okay?

So our expectation is that when we get that EIS for review, they're answered.

And the Corps will then issue a notice of availability that the EIS, draft EIS, and hopefully most of those will be there addressed in some manner.

I encourage all of you to provide written comment to us, if you wish, as soon as possible.

We issued the public notice on the 10th of September. So the public notice requested comments in 30 days or so.

That would make it the 12th of October.

But, you know, we'll still address them if we get them later, so, but--

MR. HALL:

We put the notice in the Federal Register.

MR. MUÑIZ:

Yeah, the Federal Register was issued on the 28th of August, and we issued a public notice on the 10th of September.

And if you don't have copies, we'll make them available to you.

But we still have to make a determination if we want to have a public scoping meeting, and we'll make that determination, and we'll talk about that later.

But I do encourage you to send comments in writing, if you can do that.

MR. HALL:

And I'd like to add a couple of things.

I mean, I think we've had some very good -- if a dialogue is between two people, does that mean that we've been having a polylogue? No, I'm just trying to -- You're all looking at me like I'm really -- I'm gonna say something serious here.

A poly -- No.

I think that this, at least for me personally, this has been a very, very useful, a very, very useful opportunity to understand the kind of information you have, or at least an overview of the kind of information you have.

I think we've stepped through, we've stepped through most of the issues here, at least for us, for the, for the Corps of Engineers and how about for the federal resource agencies, are you feeling fairly comfortable at this time that we've identified, that we've identified the most important issues?

I mean, are there any other -- I mean, this is sort of an ongoing, you know, obviously an ongoing process. But we need to eventually to sort of reach closure on what the, on what the scoping issues are so we can, so we can get, so we can get AFI to proceed with their, with the preparation of their, of their draft environmental impact statement.

I guess there is some, there is some time left on the public comment period for scoping. It's until the 12th of September, or the 11th?

MR. MUÑIZ:

The 10th.

MR. HALL:

The 10th of September.

MR. MUÑIZ:

October.

MR. HALL:

Oh, the 10th of October, oh. Yeah, okay, okay. Well, sorry about that. You know, when you get, when you get to be my age, the days just run together.

Okay, okay.

So I just wanted to make sure, are there any...?

I have a, I have a, I have a proposal to make, and don't, don't fall out of your seats, you know, when I do this.

This is -- First of all, I will tell you that I've been working in the Corps Regulatory Program for a little over 20 years.

This is, this is probably one of the most, one of the, one of the largest projects and most interesting projects I've ever been, I've ever been faced with.

I mean, I think we're having, we're having a good and open dialogue, and what I would encourage all of our, all of our federal and Commonwealth partners in the review of this is to try to work, see if we can't work together as a, you know, as a group and not, and not end up with any of these, he said/she said; or, that's not my role; or that's not my, you know, whatever.

We have experienced, or experimented in the State of Florida with a, with a concept that we call "team permitting," that basically, basically brings all of the agencies together on a fairly regular basis to check on the status of the information that's available, and issues that may be remaining, and stuff like that.

So I just throw that out to you.

I mean, I don't mean to put a monkey wrench into what you all might like to see us do, make the decision tomorrow.

No, I know we can't, we can't do that.

But I certainly would offer, I certainly would offer, and I think Edwin, I mean, you know, a series of periodic, you know, regularly scheduled, or maybe even sometimes spur of the moment meetings, to talk about the information that's been gathered, the issues that, that get refined through the process.

I would encourage us to try to do that if that -- Does that seem a reasonable...?

Well, okay.

MR. JIMENEZ:

Really, this is the first time, the first time that I have been involved in a process like this. And I have to tell all of you that I feel very happy and grateful for your input, and I believe that the only way to go ahead

with this project is by working together, by consolidating all the information, and presenting a document that really satisfies the needs and the, and the requirements of every, of every part.

So, thank you very much. I feel happy. And, of course, I would like this to be solved tomorrow, but I don’t know.

(Whereupon, the meeting in the above-entitled matter was concluded.)

CERTIFICATE OF COURT REPORTER

I, ROBERT RIVERA GARCIA, Court Reporter, and member of Crespo Rodriguez, Inc.:

DO HEREBY CERTIFY: That the forgoing transcript is a full, true and correct record of the testimony given which was taken down by me, and thereafter reduced to the typewritten form.

I FURTHER CERTIFY: That I am not in any way involved or interested in the outcome of said action.

WITNESS my hand this 12 day of October, 2001 in San Juan, Puerto Rico.

ROBERT RIVERA GARCIA
Court Reporter